

The Nation.

NEW YORK, THURSDAY, MAY 19, 1870.

The Week.

THE folly of removing the National Capital received a temporary check on Wednesday week, when the Senate appropriated \$500,000 towards a new building for the State Department, and a still further amount for an extension of the Capitol grounds. The Legislative Appropriation Bill was under consideration at the time, and the provision in it for the Educational Bureau was maintained against an attempt at reduction. On Friday, Mr. Sumner introduced a comprehensive bill to make it unlawful for color prejudice to be indulged by common carriers, innkeepers, managers of theatres and other places of amusement, officers or teachers of common schools, trustees of incorporated church and cemetery organizations and benevolent institutions; and to eradicate the word "white" from State and national legislation; with appropriate penalties. The House has discussed the decline of American commerce, a general amnesty, and the Tariff Bill, which it shelved on Monday, at the instance of Mr. Dawes, whose practice, though parliamentary and patriotic (as we take it to have been), was certainly calculated to enrage Mr. Schenck. The latter, to be sure, flattered himself outrageously when he stated that, if the bill could pass the House this session, it would pass the Senate next March. That was quite too refined a probability to justify wasting the two months yet left for work. On Monday, also, Mr. Bingham carried a bill to protect the colored voter under the Fifteenth Amendment.

The fate of the Tariff Bill seems, humanly speaking—in all that relates to the tariff and to Georgia one has to put in this qualification—to be sealed. Mr. Schenck has introduced a bill for the reduction of internal revenue taxes, to the extent of about \$35,000,000 in all, and this rousing the interest of the House in new schemes, Mr. Dawes was successful in obtaining a postponement of the consideration of the tariff, for the purpose of dealing with the appropriation bills—only six weeks of the fiscal year now remaining. This is looked on as putting the passage of the Tariff Bill out of the question, and the high protectionists are not sorry, while the revenue reformers are, as enough reduction had been made in it to bring it much nearer to what most sensible men begin to acknowledge any tariff that is to stand must be. This is, however, a sorry result of five months' labor, especially when it is considered that we shall see the whole ground gone over again next December, and shall have the same treatises on protection and free trade from the same men, the same uncertainty, same recrimination, and same frantic struggle of opposing "interests." Mr. Schenck's reduction in the internal taxation repeals the tax on legacies and successions, which are probably as unobjectionable taxes as exist, both as regards the objects on which they fall and the facility of collecting them, and his removal of them, considering his reluctance to touch even the most outrageous portions of the tariff, suggests some interesting reflections as to what his theory of taxation is. He proposes to increase the exemption from the income tax to \$1,500, and diminish its inquisitorial features, and prohibit the publication of incomes, all of which are improvements; and he righteously sweeps away a large number of small dues, which plagued far more than they profited, and have been the disgrace of our revenue system. The measure is, however, doubtless intended to serve the purpose of a sop to the revenue reformers, and to stop their grumbling, without making serious changes in the present tariff, which in default of anything better is to be made to serve another year.

The two Woman's Suffrage Associations—Mr. Beecher's and Mr. Tilton's—have been in session during the week in this city, all at tempts to unite them having failed, owing to the obduracy of Mr. Beecher's Association, which monopolized not only nearly all the

talent, but all the honors of the occasion, and the roar of whose heavy artillery at Steinway Hall almost completely drowned the barking of Mr. Tilton's small mountain guns up at Apollo Hall. "Fraternal salutations" were interchanged during the session, Mr. Tilton's surpassing in tenderness, Mr. Beecher's in dignity. That anything new was contributed to the discussion by either Association we are, however, unable to assert. The arguments used and the promises held out as to the results of the extension of the suffrage were much the same. The McFarland case had evidently stimulated the enthusiasm of several of the female orators, and though they were very anxious to avoid mixing up the suffrage with the sexual relation, it was quite evident that they were no nearer than the rest of the world to separating in their thoughts woman as a citizen from woman as a possible or actual wife and mother. Allusions to the case were frequently made; one lady lauded Horace Greeley for his devotion to the "fugitive wife," and Mrs. Stanton, who is one of the leaders of the movement, delivered a lecture on it, to women only, on Tuesday morning.

By-the-by, when Miss Noble, with the acuteness and perspicacity of whose criticisms on the drift of the movement we are more and more impressed every day, alleged in the *Nation* of June 20 that

"The most cursory reader of the reports of woman's rights meetings in the newspapers must be struck with the tendency to two lines of false reasoning very prominent in the debaters, viz., the arguing from altogether special and accidental cases to universal rules; and, again, the sorting out into grievances redressible by civil law life's most intimate and awful woes, the catalogue of domestic sufferings, whose baffling problem is, that the very conditions which make their terror make also for the purest and best joy given to mortals, so that how to deliver from the one without jeopardizing the other, is the riddle yet unsolved"—the *Woman's Journal* accused us with great violence of "professional dishonesty" in representing her articles as having been written by a woman, as no woman would venture to assert that the woman's suffrage champions meant in any manner to meddle with or regulate marriage, or divorce, or the sexual relation. Our astonishment may therefore be guessed when we found in the same periodical, a few weeks ago, in a letter signed by some of its editors, and addressed to Mr. Theodore Tilton, the fact that the New York Suffrage Association had undertaken the discussion of marriage and divorce, and deficiency of offspring, given as one of the reasons why the Cleveland Association had been founded.

We now venture to assert that the Cleveland Association will, as it extends its organization, find it impossible to keep clear of the very same topics; that they are already cropping out in its debates, and for the simple reason that its recruits are and will be largely drawn from that vast body of persons, of both sexes, to whom the yoke of the institution of marriage, as at present established, is irksome, and who believe that a freer gratification of individual desires ought to be provided for by law. We affirm, moreover, that the exclusion from the discussion of woman's condition, in a country so slenderly governed by tradition and habits as this is, and in which all discussion takes inevitably the widest possible range, of everything relating to her functions as a female, is not possible, and would not be expedient if it were possible; that, as long as she has to perpetuate the human species by child-bearing and nursing, those who propose to better her lot must make up their minds to deal openly, boldly, and persistently with her sexual relations, for to this they are sure to be driven eventually. We call attention to this matter because we believe the attempt to carry on the movement with a false bottom is full of danger, and helps to hide from the able and respectable leaders of the movement—of whom there are a great many—the real weight of the responsibility they are assuming. We must have no patched-up settlement of this matter, and no rearrangement of the relations of men and women in which sexual passion is ignored, and which is based on the theory that when a wife desires to quit a husband, or a husband a wife it is presumptively because he or she wants opportunities for a "broader

development," or "a more perfect spiritual union," or "a closer communion with a kindred soul," or "a freer interchange of his or her deepest experiences."

Owing, we believe, to the culpable failure of the jury to indicate by their verdict whether they acquitted McFarland on the ground of insanity, he was discharged unconditionally, and is now at large. One of the humors of the affair is that Dr. W. A. Hammond, who gave the most interesting testimony at the trial with regard to insanity, has since lectured on him, and declares that he is liable to another or other attacks of mania; and, indeed, there is no reason why he should not have as many manias as he has enemies, until, at last, he can proudly say that he has not a foe above ground. A petition is circulating in Brooklyn, asking the Governor to shut him up, but we suppose the Governor neither will nor can do anything of the kind. His wife, the day after the verdict, published in the *Tribune* a long, elaborate, and highly-wrought account of her married life, showing it to have been utterly miserable, owing to McFarland's violence of temper, habitual drunkenness, improvidence, and poverty, which has had a great circulation, and, combined with the acquittal, has excited an outburst of sympathy for her. Its force as evidence is weakened by the letters from her which McFarland has been publishing in reply, and which, written during this period of unutterable woe, are full of the most extravagant expressions of affection for him, and acknowledgments of his kindness and thoughtfulness. Moreover, although it alleges McFarland to have been an habitual drunkard, and to have been in the habit of changing his boarding-house nearly once a week through long years, nobody, of the dozens of boarders and boarding-house keepers who must have been cognizant of his excesses, was produced at the trial to testify to either his drunkenness or his violence. Still, after all allowances have been made, there is enough to show that it was a wretched marriage, and ought never to have lasted so long.

But it was only a specimen of a large class; thousands of wives all over the country are passing their lives in abject misery, trying to rear in boarding-houses the children of that large army of ne'er-do-weels who spend their time roving about in the cars, with a carpet-bag and a shawl, and passing nearly every week into a new trade, and succeeding in none—editing newspapers, speculating in land, taking photographs, manufacturing hair-pins or hoop-skirts, and, above all, peddling inventions and patent rights, which is their darling occupation. In the political campaigns they take a turn on the stump, and, when hard pressed by fate, retire for a brief season to the Custom-house, where they gather fresh strength and ideas for new wanderings and failures. McFarland, in the midst of his brutalities, had no difficulty in getting warm recommendations for office from Messrs. Sinclair and Greeley. The *Evening Post* has made a better attempt to furnish the rationale of the popular excitement over his case than any we have seen; and it is in substance this: not only is the appetite for "sensations" intense, but there is a class of persons in the community who carry their moral judgment almost entirely in their lachrymal glands, and are always sure that anybody they can cry over must be a saint. Accordingly, when Richardson was shot down, they went and wept by his bedside; McFarland then being put on trial for his life, they went and wept with him over his "desolate home," to which Mr. Graham made such touching Latin allusions, though where the home was or ever had been there was no evidence to show; McFarland being acquitted and safe, if not sound, Mrs. McFarland appeared on the scene with her statement, and now they are weeping over her. Had he been convicted, she would probably be an object of intense execration. Of course, we do not mean to say that the same persons pass through these alternations of feeling, but simply that they all belong to the same category.

The news of the passage of the Woman's Suffrage Bill to a second reading in the House of Commons excited a good deal of rejoicing amongst the friends of the movement both here and in England. As might have been expected, however, the incident was mainly valuable as an advertisement. Wednesday, the day on which the vote took place, is the equivalent of the Saturday sessions of "the Committee of

the Whole on the State of the Union" in Washington, and is generally given up to bores and visionaries. Moreover, the House was, as usual on that day, very thin, and the bill was sure to be defeated by a large majority if any attempt had been made to push it to a third reading. The measure was killed a few days later, without difficulty, on the motion of its enemies. Its friends would doubtless have been very well content to sleep on their laurels. It would, however, have only applied to unmarried female taxpayers. The suffrage movement of late has been unfortunate too in this country. It has been checked in Vermont by a popular vote against the introduction of a female-suffrage clause in the constitution; and in Illinois the Constitutional Convention has on reconsideration refused to submit the question to the people, influenced, it is said, mainly by the arguments of one of its lady opponents. We believe these reverses are in great part due to the feeling which the continued discussion is developing that the questions raised by the agitation go far deeper than the distribution of the political sovereignty, and the mass of the community shrinks therefore from attempting to deal with them. But the whole matter is in the hands of women themselves.

While the freight business of the Pacific Railroad has not immediately answered expectations in regard to it, the road's importance as a national highway is daily increasing. The latest result of it is the establishment of regular steam communication with Australia. The *Wonga-Wonga*, which left Sydney on the 26th of March, and Auckland on the 4th of April, inaugurated the line, and at Honolulu connected with the *Idaho*, which reached San Francisco on the 5th of May. Almost all the passengers were on their way to England, and the trip from Sydney to Liverpool was for them a rather agreeable and highly diversified excursion of less than sixty days. There is little doubt that this route will be preferred to all others between Europe and the South Pacific, at least so far as shortness is concerned; but it may be questioned whether it will tend to knit the bonds of the British colonies and the mother country. The mail service must create among us an interest in Australian affairs which cannot be said to have existed hitherto, any more than Australia has cared much for what was going on in the United States. We may also naturally anticipate an interchange between the mines of the Pacific coast and those of the colony, and with the wares and tools which we shall send out there, will go not a few skilled workmen, and many adventurers and speculators. Our political ideas will travel thither by the same course, and that they will have some effect is already predicted. The *Taranaki* (New Zealand) *Herald*, which arrived here by the first direct mail, talks openly of "New Zealand seeking relationship with America," and declares that that colony is practically severed from Great Britain in consequence of imperial neglect, and that it is henceforth to draw its commercial advantages from the United States, with a fair chance of imbibing its republican notions.

In spite of the excitement produced in England by the Greek massacres, none of the wild schemes of revenge proposed at the outset by a portion of the press seems to have met with popular favor. Indeed, Lord Clarendon made all high-handed measures impossible by his offer to the brigands, at the execution of which the Greek Government agreed to wink, not only to pay them the ransom, but to get over the amnesty difficulty by conveying the whole band in a British man-of-war to Malta—probably, on the whole, as complete a bit of baseness as a high officer of a great state was ever guilty of, and which, there can be little question, was due to the social position of two of the captives. When Mr. Moens was captured, and held for two months by the Italian brigands, they were hunted vigorously the whole time by the Italian troops, the British Government looking calmly on, and he was left to pay his own ransom; and, what is more, the Italian Government refused to reimburse him, and the British Government refused to back his claim; but Mr. Moens was unknown "in society."

The Greek Government appears to have been actuated in breaking its engagement not to pursue the brigands partly by the desire of avoiding the repayment of the ransom, which it felt would be de-

manded, as it had undertaken to escort the travellers, and partly by the hope of escaping a collision with "the opposition," which, as M. Zaïmis, the Prime Minister, explained to the British Minister, was believed to be at the bottom of the whole thing. One of the captured brigands declares that the news of the projected excursion was communicated to them by an unknown person from Athens, and that two persons in masks, whom the chief treated with great respect, came out after the negotiations had been opened to urge them to insist on an amnesty. The brigands appear to be simply a portion of a gang of seven hundred cut-throats and vagabonds who went to Crete as volunteers during the insurrection and were brought back at its close, and then "went into politics" as highway robbers. The utter demoralization of the political class in Greece could hardly be better illustrated than by the fact that "the opposition" in the Parliament is usually at least believed to be in a league with the footpads, who make it impossible to take a walk on the road five miles from the king's palace. The army and the people seemed really put to shame by this last performance, and the troops pursued the brigands with great fury. If it were not for the promise not to pursue given by the Minister of War, and the long previous connivance at the exploits of the robbers, nobody could blame the Greek Government for what it did. A government cannot treat with thirty cut-throats at the gates of its own capital without loss of self-respect, and without breaking down all popular confidence in the law; and sad as was the fate of the unhappy gentlemen who were ruthlessly and uselessly butchered, their safety would, under ordinary circumstances, have been a secondary consideration. One of the most curious things about the condition of Greece is that as shrewd a people as the Greeks are do not see the enormous amounts of money they might bring into the country every year if they only made it safe and attractive to travellers. They have only to look at the revenue Switzerland draws from tourists to see what a paying operation it would be to hang their brigands, equip a good police, and open a few roads. Their soil is holy ground to the educated men of the civilized world, and would swarm with pilgrims; but the interior is now hardly more accessible to Christians than Mecca or Bokhara. It is estimated that, on a moderate calculation, the brigands have levied on the peasantry about \$30,000 since February last, and they have taken about \$100,000 in ransoms.

The Winnipeg rebellion has had a singular termination. The Canadian Government has conceded to the insurgents nearly everything they asked for, and, amongst other things, the autonomy of "the province" which they have created, and the control of the public lands. Riel, who was, a month or two ago, a windy, vamping rebel, who was certainly to be hanged for his brutal murder of Scott—and, if the deliberate killing of a human being, without the slightest necessity, be murder, that was certainly a very foul one—has lived to see his agents received as respectable diplomatists, and with them the statesmen of the New Dominion have treated on a footing, if not of equality, at least of what is as good as equality. The armed force, therefore, which the Michigan authorities refused to allow to go through the Sault Ste. Marie Canal, is reduced to the character of a surveying party, and the one chance of waging war that will probably ever offer itself to Canada has passed away. The New York Times taunts the Fenians in a most unseemly manner for not having taken the field before the unpleasantness was over, apparently not being aware that the Republic has just gone into a new house in Brooklyn, and is having it scrubbed and the carpets fitted. The departure of its armies for the frontier is therefore for the present impossible.

The *Independent* has applied to Mr. Niles G. Parker, the State Treasurer of South Carolina, for a refutation of the statement we made some weeks ago that eighty-odd members of the State Legislature could neither read nor write; and he has furnished it in the shape of an assertion "that he *thinks* there was not one who could not read, and only three who could not sign their names," and one of these refrained, he believes, from that ceremony, when receiving for their pay, on account of dimness of sight, and the other two "in the hurry of receiving pay." We made that statement on the authority of a gentleman—a Republi-

can, we may mention—of the highest character, who has just been making a thorough examination of the condition of affairs in South Carolina for business purposes. We have, however, taken measures to procure more testimony, and when we obtain it we shall take the matter up again. The *Independent* "is curious to see how we shall meet this prompt rebuttal of our wholesale charges." When we get a "rebuttal" of our charges, we shall do what the *Independent* will perhaps consider a very funny thing—viz., acknowledge frankly that we were totally wrong. Our informant took testimony on the point in a great variety of quarters, and he says the statements made to him by white men "were quite confirmed by intelligent colored men, who were earnest Radicals, but who greatly regretted the class of entirely uneducated negroes who had been sent to Columbia, as tending to degrade the freedmen in the eyes of the public, and bring them into contempt." "That a larger proportion," he adds, "than you have stated of the members of the last South Carolina Legislature went to Columbia unable to read and write, I have no manner of doubt. You will remember that until within five years it was a punishable offence in that State to teach a colored person to read. The natural ambition of these men, and the strong desires of their friends, may very likely have led them to pick up a few words, and to learn to write their names after a fashion, after they took their seats." We hope in a few days, however, to have additional evidence. It must be remembered that we are now talking of the legislators of a civilized State, possessing the power to vote away their neighbors' property almost without stint, and to pledge the credit of the State for millions—and not of hod-carriers.

The long-talked-of, much-discussed, and with great difficulty-arranged match between the American yacht *Sappho* and the English yacht *Cambria* has ended in a complete muddle, and we shall probably now have once more one yard of correspondence for every mile sailed. There were to be three heats, and in the first the *Sappho* won easily. The *Cambria* made some alterations in her bowsprit in preparation for the second, but asked the umpires in vain for "a dead beat to windward," instead of a "half-point off the wind," and, growing sulky under pressure, refused to start, so the *Sappho* walked over the course. On the merits of the question we are not competent to express an opinion, but it certainly seems as if a fair yacht race were one of the hardest things in the world to arrange. In horse-racing, the one inequality which has to be provided for is age, and this is readily met by weight; but yacht-racing seems to be somewhat like a race between lions, tigers, dromedaries, elephants, and buffaloes, and to tell whether the conditions of the race have been exactly the same for each competitor requires an amount of study, calculation, and familiarity with two or three sciences which few men possess, and yachting men apparently never, if we may judge from the length and unsatisfactory termination of their disputes.

M. Ollivier, as Minister of Justice, has published an official report on the alleged conspiracy against the life of the Emperor, by way of answer to the charges so freely made, and generally believed, that it was what is called in the New York police courts a "put-up job," intended to help the *plébiscite*. He says the Government was on the track of the conspirators so long ago as October, but dropped the investigation in order not to excite suspicions of using it as an "electoral intrigue;" but, finding that the conspirators went on with their arrangements, and were going to carry out their design on or before May 8, the police were again put in motion, with the result already known. A young man named Beaury, a tool, apparently, of Gustave Flourens, who is in London, has been arrested, and he it is who was to throw the bombs, which were to contain nitro-glycerine, and were calculated to put out of suffering everybody within thirty yards of the spot on which they fell. Twenty-one bombs in all have been discovered. Other persons appear to have been connected with the conspiracy, but Flourens and Beaury are apparently the two principal actors. In the correspondence the explosion is spoken of as an "amputation," the Emperor as "the poor sufferer," and the cost of preparing to blow him up as "the expenses of this sad illness." What with the conspiracy and the majority of the *plébiscite*, the Emperor appears to be in high feather.

THE END AT LAST.

THERE are two bills now before Congress which, if the Reconstruction process be capable of completion, ought to complete it. One provides for the execution of the Fifteenth Amendment, by forbidding, under the sanction of appropriate penalties, all attempts, direct or indirect, and either of omission or commission, to prevent colored persons entitled to the franchise from exercising it. Another, introduced by Mr. Sumner, provides for the admission of colored persons on equal terms to all hotels, public conveyances, licensed theatres and places of public amusement, and public institutions; and he admits that, if this be passed, there will be nothing left undone that legislation can do to improve the condition of the colored man. We hope they will both be passed without any unnecessary delay. There are so many ways of cheating people out of their votes, and there are so many voters whom it is easy to cheat, that we may be sure, in a large number of places, negroes would, by one trick or other, be robbed of their share in elections, no matter how solemnly guaranteed to them by the Constitution, unless the various modes of defrauding them were enumerated, punishment prescribed for each, and the exact mode of getting it inflicted pointed out.

As regards Mr. Sumner's bill, nobody who knows how a prejudice feeds upon itself—that is, how readily the doing of a thing presents itself to many people's minds as a justification for doing it—will have much to say against it. Nobody denies that if there were no prejudice against color it would be a great gain for the country, and any attempt to diminish it by legislation which does not seem likely to do anything to increase it, is certainly worth trying. It is not possible to allow keepers of public conveyances to shut people out from any accommodation to which their money would otherwise entitle them on account of their complexion, without acknowledging that our equality before the law is a mockery, and we know, as the result of actual experiment in various parts of the country, that the objection to riding with colored people in the cars and stages is a mere whim. When we propose to force hotel-keepers and managers of theatres to admit them on equal terms, we get, naturally, on more delicate ground, and ground on which the law may be more readily evaded, and that it would be evaded somehow we do not doubt; but evading it would be troublesome and expensive, often fully as much so as obeying it, and we have very little doubt that before long landlords and managers both would succeed in persuading white gentlemen and ladies that there really was no strong objection to staying in the same hotel, or enjoying one's self at the same theatre, with colored people, from whom the same guaranties for dress and behavior had been exacted as from the rest of the company.

But then it does seem as if two such measures, which even the most exacting of Radicals acknowledge to be all that can be asked for, ought, in order to ensure their efficiency, to be accompanied by a general restoration of the South to its normal condition; or, in other words, to the government of the majority of its inhabitants. We have no desire to exaggerate the evils of the existing state of things, and have no great pity for the "leading citizens" who are now atoning for the folly of twenty years by temporary subjection to the rule of their former slaves. Those who play high must not whimper if they lose heavily. But then the Government of the United States has something to think of besides either punishing the whites for their treason or rewarding the blacks for their fidelity. The interests of civilization and of good government at the South are in its keeping, and there is no question whatever that both are suffering deeply—not by the accession of the colored people, but by the accession of ignorant people, to power—and may suffer irretrievably, if the present régime be protracted much longer. It is not possible any longer to confine any political or social evil to a particular State. With our present habits and means of intercommunication, everything spreads all over the country, the good as well as the bad. No State can keep its corruption or its bad character, any more than its virtue, to itself; and the seeds of the vices and disorders we suffer to flourish in South Carolina and Louisiana, we may be sure, will be wafted before long further north, and find a fruitful soil enough. The more legislatures we have accessible to temptation, the larger the class of jobbers who live by tempting legislators grows, and

the wider the belief that all legislators are corrupt, and may be expected to be corrupt, spreads.

We have spoken several times in these columns of the grossness of the disorders in which the government of several States is plunged in the hands of the negroes and carpet-baggers, gathering our opinions simply from newspaper articles and correspondence and occasional private advices. Very recently, business men of the highest character, both from this city and from Boston, have been examining the state of things there with reference to investments both for themselves and their friends, and, of course, one of the very first things to which their attention was turned was the government, for government means taxation, and on the manner and amount and application of taxation depend the rate of profits, the prospects of immigration, and the probability of internal improvements. No man will willingly invest much capital in a State whose revenues he has reason to believe will be squandered, or credit destroyed, or whose legislation cannot be depended on for a reasonable degree of uniformity and honesty. Now the reports of these gentlemen—and the two we have in our eye have been ardent Republicans and supporters of the Reconstruction policy of Congress, and do not believe any other policy was possible or desirable—describe things as being nearly as bad as bad can be. The effect on the freedman of the spectacle of large bodies of his fellows in a state of the grossest ignorance put suddenly in possession of the government of great, civilized, and wealthy communities, is of course as demoralizing as the sudden discovery of a parcel of diamonds, and just as likely to turn his mind away from steady industry, and to destroy his faith in the political value of knowledge. But this is not the worst of it. Their management of the State funds has been such, and is such, as to endanger American credit everywhere, to frighten away capital, and make general bankruptcy at some not very distant day by no means improbable. Moreover, no society was ever long subjected to such a régime without suffering in its very vitals, without finding the stock of honor, truth, decency, and patriotism on which it has to draw every now and then, to carry it through exciting times, greatly and perhaps fatally diminished.

The remedy for all this is to pass an act of general amnesty, and leave every community to its natural action. Let whatever there is of intelligence in it resume its natural weight. It is as much the interest of the negro as of the white man—indeed, far more the interest of the negro than of the white man—that the States should be well governed, and most of the political talent and experience is in the hands of white men, who are either disfranchised themselves, or so disgusted by the disfranchisement of their friends, that they will take no part at present in political affairs. No closing of the Reconstruction process will be safe or real which does not give them their *natural* influence on the government; artificial influence they have lost for ever; but of the other it is an offense against civilization to deprive them.

JURY MORALITY.

SUCH a failure of justice as occurred in the McFarland case, shocking as it was, would be of some value to the community if it would lead to something more practical than lamentations in the newspapers over the indulgence of juries for certain classes of crimes. There are signs, such as the adoption of the Judiciary Amendment to the Constitution, the new election law, and the formation of the Bar Association of this city, that the popular interest in questions of legal reform begins to revive in this State, and that there will hereafter be more use in calling attention to defects in our jurisprudence than there has been for some years past. Nearly everybody has at last got over the delusion that the election of all officers by "the people" is a cure-all; we shall before long get over the sister delusion that giving everybody the ballot is a cure-all; and then we shall be able to go to work to improve our condition by rational methods.

In the meantime, we wish to call attention to the fact that the tame acquiescence of the bench, the bar, and the press in such verdicts as was rendered in the McFarland case, is really cherishing and spreading the false notions both of public and private morality from which these verdicts flow. The origin of the impunity now accorded

to murders committed by men whose female relatives have been seduced, is simply the concession made, we believe, by all systems of law, in all ages, to men who commit murder in a sudden burst of passion. A man who killed his wife's paramour was let go free if he killed him *flagrante delicto*—human nature being supposed incapable of resisting so great provocation. This rule has, however, under the influence of popular sympathy with men who "have had their homes broken up," and of weeping lawyers, and rhetorical newspaper denunciations of adultery, grown into the monstrous doctrine, which now seems to have got a firm foothold amongst juries, that a man may murder another whom he suspects of having taken his wife from him, whenever he pleases; that he need not do it on a sudden impulse or in a passion; but may talk over it, and brood over it, and dog his victim for years, and finally carry out his design whenever he finds it convenient. The plea of insanity, too, by which murders are now so frequently excused, is receiving similar and dreadful amplification. Thirty years ago, a man who killed another had to show that he was stark mad, in other words, a notorious and unmistakable lunatic, in order to be covered by the plea of insanity. Now, he has only to act peculiarly, or, in other words, by dint of dwelling on a particular subject, work himself into a sort of monomania about it, as the wisest and calmest man in the community may do if he pleases, in order to get himself released from all legal responsibility for his acts, however bloody or atrocious they may be; and the symptoms of insanity have, in the hands of mad doctors, been worked up into a system of extreme delicacy and complexity, in which one of the obscurest of all fields of human investigation is elaborately mapped out and placed before ignorant jurymen with as much confidence as the plan of a house or a topographical survey. Worse than all, in the Cole-Hiscock case the bench made to the theory the startling addition that there is such a thing as momentary madness—so that at ten o'clock a man may be responsible for all his acts; at ten seconds past ten, mad as a hatter, and commit a murder with impunity; and at ten o'clock and fifteen seconds be again perfectly sane—and the jury accepted this ruling, and acted on it.

Now, where is this to end? If the jurymen's anxiety about female chastity should continue to develop, and the symptoms of insanity continue to multiply, at the same rate as during the past twenty years, what security will any of us have for his life or limbs? What with the injured husbands and the crazy men, not one of us will, as things are now going, feel any strong certainty, on going out any morning, that he will not be brought home on a stretcher in the evening with two or three holes in his head. From the enraged husbands of course every man has an easy means of escape, but from crazy men nobody who has in the course of his business to offend or annoy anybody can have any security whatever.

Of course we do not mean to say that anything the bench or bar or press can do can change the nature of jurymen, but then there is one way in which something may be done to make their decisions less farcical or injurious in a certain class of criminal cases, and that is the closer regulation by legislation of what may be submitted to them. "Judicial discretion" used to be a thing to which the legislature could trust a great deal, but of late years it is evident that the less there is left to it, the better. It has been found necessary, for instance, to interfere with it in the matter of granting injunctions and appointing receivers; and, since the charge in the Cole case, and the trial in the McFarland case of the charge of "conspiracy" against the writers for the New York *Tribune*, it seems pretty evident we need some such changes in the criminal procedure as will greatly narrow the field of enquiry over which the jurymen's mind may be permitted to roam. For instance, it would unquestionably not be a bad plan to follow the suggestion Governor Alcorn has made to the Legislature of Mississippi, and deprive juries of all cognizance of the plea of insanity, and make it triable either by competent judges or by a medical tribunal, whose decision should on this point be final. This would prevent many great scandals, and put a check on one class of crimes which we are afraid will, under the present system, grow rapidly.

As regards other restrictions to be imposed on juries, in cases like that of McFarland, in which they are likely to make themselves the

exponents simply of popular passion, and totally disregard the judge's ruling as well as the evidence, there are two things which might be done. One is, modify the rule of "twice in jeopardy," and make a man triable again, when the jury disregard their oaths, just as he is when they disagree. Of course, this would have to be done with caution, and the power of ordering it should be reserved to the full bench. Excited juries, who have been worked up into a half-frenzy by fights and weepings among the lawyers, and by intense popular interest in the trial, and muddled by ponderous masses of evidence, afford no more protection to life and property than a mob. Readiness to acquit persons who commit murder, in obedience to popular impulse, is just as dangerous as readiness to hang persons who have not committed murder.

The other is the imposition on the judge of some stringent rules as to what he will allow to go to the jury. It must be remembered that our "rules of evidence," as they are called, have no basis in the constitution of the human mind. They are simply a set of contrivances to make the demand on the mental powers of juries, mostly untrained men, as small as possible. They do not exist, or anything like them, in any system of law in which causes are tried by professional judges. For instance, in France, hearsay is received just as readily as direct evidence, and so it ought to be; for, though its proving power may be less strong than that of direct evidence, it has some proving power. But our law very properly shuts out from the jurymen's eye all testimony the value of which it is supposed he could not readily estimate, even at the risk of a failure of justice. It allows nothing to go before him which has not a direct bearing on the issue, while, if the trial were a logical process, everything that had the remotest connection with the issue would be laid before him.

Now, in these sentimental murder cases, he is probably in a less judicial frame of mind than he ever is at any other period of his life, and, therefore, needs more of the protection of the court. What those rules ought to be a newspaper is hardly the place to discuss. It is strictly a lawyer's subject, and every lawyer who has paid attention to the trials of sentimental cases will have plenty of suggestions to offer as to the best mode of narrowing the issue, so as to get out of the jurymen the least possible amount of his passions and prejudices and the greatest possible amount of his common-sense and his respect for law. For instance, when the plea of insanity is set up, as in the McFarland case, a jury ought not to be allowed to render a verdict of acquittal without saying whether it was rendered on the ground of insanity or not. Had they done so in McFarland's case, he might have been, we believe, shut up. As it is, he is at large, and is believed to be insane, and has committed one murder, and is pronounced by the first authority in this city, on this class of subjects, to be likely to have another attack of acute mania or something like it, and yet there is apparently no way of getting him put under restraint unless he should commit another murder. The very helplessness, too, with which the community submits to such verdicts, which all declare outrage the moral sense and encourage crime, naturally spreads and stimulates the feeling that it is the business of the jurymen to express, not the sober second thought of the community, but its first hot thought, and to drown the sense of responsibility for the manner in which jury duty is performed. We moan and groan over the folly and wickedness of such verdicts, but treat them as if they were oracles which there was no gainsaying, and that once we had empanelled twelve men and sworn them to decide according to the evidence, the public had no more to do with the affair than with the thunder or the rain. It is, therefore, not unnatural that when an ignorant and stupid man finds himself charged with a case, he should feel perfectly authorized to substitute his own rough notion of what he would do under like circumstances both for the enactments of the legislature and the rulings of the judge.

VASSAR COLLEGE.

FINDING ourselves, after some years of humble and attentive consideration of what many excellent men and women say at conventions touching the value of the suffrage as a means of improving the moral and material condition of the female sex, unable to see any reason for changing our

belief that, on the whole, the prizes of life will always go to the strong hand and strong brain, and that the weak and the stupid, or both, will always in this world have an uncomfortable existence, as long as the social organization is based on individual liberty; and that there is nothing more mysterious or incredible in difference in the powers of the sexes than in difference in the powers of individual men; and being, in common with the vast majority of our sex (the male), firmly resolved to resist to the death, on foot, on horseback, and in steamboat, and with all weapons, ancient and modern, any attempt which ill-advised reformers may make to base the social organization on anything *but* individual liberty, or to compel us to divide our honest earnings with either Jim Fisk or Daniel McFarland, or with distressed needlewomen or oppressed wives, in accordance with any laws but the laws of trade and the laws for the relief of the destitute poor—we feel the greatest interest in all efforts to improve woman's chances in the race of life which recognize that life is a race, and not a ride in a State omnibus.

Under the influence of this feeling, we went up recently, unsolicited, to Vassar College, in this State, and asked the permission of the authorities to look on at the institution in its ordinary working days, and were at once allowed to plunge into every department, and, indeed, we may say, every nook and corner of it, ask whatever questions we chose, and put what construction we pleased on what we saw and heard. We watched and listened and enquired with two beliefs constantly in our mind: one is, that any system of education for women which seems likely to render them less fit to practise what we may call the social arts—that is, to cultivate the gifts and graces, the ways of thinking, speaking, dressing, eating, walking, which distinguish civilized from barbarous life, and which make a drawing room, with its owner, a refined woman, sitting in it, one of the fairest scenes, the holiest, happiest, and purest, that human progress has produced—no matter what else it may do for her, is a failure and an offence. Refined homes are the end of civilization. All the work of the world—the railroading, navigating, digging, delving, manufacturing, inventing, teaching, writing, fighting, are done, first of all, to secure each family in the quiet possession of its own hearth; and, secondly, to surround as many hearths as possible with grace and culture and beauty. The work of all races for five thousand years is represented in the difference between a wigwam and a lady's parlor. It has no better result to show. The second belief was that, no matter what Congress or the State legislatures may do, the physical fact of sex will always weigh heavily on women as a class, if they ever attempt to compete with men as a class, and that, therefore, their education must be at least as careful and thorough as men's; and that girls cannot, in these times of incessant speculation about the very bases of society, be brought one minute too soon face to face with the fact that, if they mean to contend for all the prizes of life, they must submit in all things to the rules of the game; and the first of those rules is this, that the person who knows most, and has had the best preparation, and has strongest brains, and best digestion, and can in the greatest number of days in the year approach his or her work with the steadiest pulse, shall have the highest place; that there are no allowances made for age or weakness; and that there is not a single place in the world on which the wearied or wasted can fall back for shelter or refreshment, except the custom-house, and this only in the United States.

Vassar College, too, was interesting to us as an attempt to solve on a greater scale the dormitory difficulty, which, as we pointed out some weeks ago, is the very first difficulty which a young girl has to encounter in seeking a university education. She cannot be flung down in a strange city and left to provide lodgings as best she can, nor will such lodgings as would suit young men very well do for her, because she might be very well lodged for all the purposes of material comfort and yet be exposed to influences which would deprive her, at the age when her character and tastes are forming, of the social training which is necessary to fit her for what we consider, as we have said already, that greatest of women's functions, the government of households. Vassar College lodges all its students, and thus they are constantly exposed, though in the enjoyment of as complete liberty as is consistent with the fact of being in another person's house, to whatever influences are uppermost in the place. In other words, they are constantly taking its tone. We are all sensible, in the case of young men, that the value of a college education lies only in a small degree in the amount of positive knowledge it communicates; that a very large part of its usefulness lies in its giving the student his first taste of liberty, and his first knowledge of the strength and weakness of his own character, and his first chance of finding out by actual experiment what rank he is likely to

occupy in the generation in which his lot is cast—that dread experiment on which all enter so joyfully at sixteen, and from which most issue so sadly at forty—resigned, if not satisfied. Perhaps one of the hardest features in woman's lot, hitherto, is that she has been carefully denied the opportunity of trying it; and after a youth passed at home, among admiring friends, and under the flattering eyes of a fond if not foolish mother, enters on life with a thousand dreams and longings and aspirations, and a thousand delusions about her own powers, of which a few years of sharp and *real* competition and attrition with her contemporaries would have delivered her, and in delivering would have strengthened her.

Unless we were greatly mistaken, we saw plenty of signs at Vassar of the good results of passing in hard work, amidst a great crowd of competitors, the four years usually given up by young women to lovers, novels, music, visits to young friends, and the desultory and rather soporific process called "study" or "course of reading" at home. We believe we never before met so many really simple, unaffected, unconscious young ladies as we saw there. They had acquired what we may be forgiven for calling the sober masculine air of people who have business to do and are quite equal to it, and are too much occupied with it to have time or attention for anything else. This was very manifest in their demeanor both in the classes and elsewhere, and it was so striking as to go far in our minds towards refuting the theory of the constitutional preoccupation of woman with her own appearance. At all events, it went far to prove the power of training to conceal this preoccupation without depriving us of any of its results. For its results were there. There was nothing in dress or manners to make anybody fear that any of the graces of life were going to suffer from the experiment; nay, there were plenty of signs that it was likely to give homes what they have perhaps wanted most of all—the dignity of strength—the repose that comes of knowing exactly where one stands, and what one can achieve. We were, moreover, impressed greatly by the voices and the reading and speaking. Any college which teaches what an excellent thing in a woman a sweet voice is, the depth of the charm that lies in clear and carefully modulated enunciation, will confer an enormous benefit on American society; and we think we can venture to say that Vassar College is doing it, and is sending out every year a hundred women to whose talk it will be pleasure to listen, if not for the sense at least for the sound; and how it accomplishes this we discovered by looking on at most careful and apparently most successful drill in the elocution class.

We must add, too, that the physical results of the training seemed everything that could be wished, so far as they were indicated by the appearance of the girls and by the reports of the doctor. A more robust, plump, and rosy company than the three hundred and seventy we have never seen seated in one room, and one could readily understand how it should be so on considering the purity of the air and the abundance of the temptations to exercise out of doors, in the shape of gardening, rowing, skating, walking, and riding on horseback, to say nothing of regular and compulsory gymnastics three times a week under a lady teacher. We doubt very much whether any institution in the world has ever offered young girls such a chance of combining the physical with mental culture. There are no rules, except that each student must attend the recitations, and be prepared for them, rise and retire at certain hours, and behave like a lady; while in all that regards health, manners, dress, and the minor as well as greater morals, she has an adviser, who stands *in loco matris*, in the person of the Lady Principal.

As regards the quality of the instruction, we hesitate about basing praise on an amount of observation on which we should not feel warranted in basing censure; but all that we saw impressed us most favorably. The answering, translating, and demonstrating which we witnessed were done in a style which we have never seen surpassed by young men of the same standing, and in the treatment of some subjects—in readiness and cleanliness and dexterity in expression—the superiority to young men was very perceptible. Moreover, we thought we saw evidence of women's superior conscientiousness, in the absence of all attempts to fumble with questions, or taking random shots at them when an avowal of complete ignorance was clearly the only proper way of meeting them. There was one thing, too, plain to be seen in every class, and we were going to say, on every face, and it is something which it must be confessed one rarely sees a trace of among boys, but which one can hardly see on girlish faces without feeling a lump rise in one's throat, for there is infinite pathos in it: and that is the look of earnest desire to make the very most of this day and this hour and this teacher, of gratitude for all these advantages, of intense eagerness that whatever sacrifice has been made to put the girl here, shall not

be wholly fruitless. One looked in vain for a reckless or idle or indifferent countenance.

How much this, or institutions like it, will do to open new fields of employment to women, or fit them to compete with men in the various trades and professions, is a matter about which everybody will have his own opinion, and everybody's opinion must for the present be speculative. It is quite certain, however, that everybody is the better of a careful education, no matter what his or her course in life is to be; and even if woman's sphere should never be very different from what it is now, there is enough work to be done inside of it, and as important and delicate work, too, as the world has to show, to make women's colleges always amongst the most important institutions in existence. Helplessness, want of self-confidence, want of knowledge of one's self, the nervous feebleness that comes of want of intellectual method, are just as serious evils in the mother of a family as in a member of the bar; and it is indeed a far greater evil for the community to have women "decline housekeeping," through sheer incapacity, than to have them fail as lawyers or ministers or brokers. There is one reason for thinking, however, that a college will never be to girls, what it is to boys, a place of training for professional work; and that is, that girls, as a class, have, what boys have not, an instinctive leaning to one calling in particular—that of a married woman—and this is a calling which morally and physically disqualifies those who pursue it for any other. The instinctive leaning to it, too, is so strong in the earlier years of every woman's life that, whatever she may say or try to persuade herself, she will never, except in rare cases, make deliberate choice of any other calling, and devote herself to preparation for it with the ardor necessary for success in it, until the age for preparation has passed. We find, accordingly, that the complaints of having no work to do, and no place in society, and of pining away in idleness, do not come from women under twenty-five. Nay, they only rarely come from women under thirty, and hardly ever from any women except those who for various reasons have failed or neglected to enter the profession of matrimony. But at twenty-five or thirty it is too late to enter any other with much chance of success—indeed, with any chance of success—against male competitors, who have from the age of fifteen been steadily working for a certain vocation. Consequently, the fact of which we hear so often, that there are forty thousand unmarried women in Massachusetts, or anywhere else, sighing for employment, proves little or nothing against the present division of labor between the sexes. No woman's complaint on this subject ought to be recorded without adding the age at which she utterly abandoned all expectation of marrying and bearing children, for it was only then that she began to desire to have society reorganized for her benefit, as, indeed, everybody does who finds himself unsuccessful.

ENGLAND.

APRIL 29, 1870.

I AM at the present moment at some distance from the great centre of political interest and social gossip. For the last ten days I have been amidst the Yorkshire moors, in the country celebrated by Miss Brontë. Bleak upland pasturages, bounded by stone walls and swept by constant gales, rising at times into massive heath-covered hills, and intersected at intervals by deep and fertile valleys, form the staple of the scenery. There are a few cotton-mills along the course of the rivers, and there are little nooks high up on the hills affording shelter to solid stone farm-houses, with perhaps a stunted tree or two to contrast with the general bareness. The inhabitants are as different from the southern laborers as the country from the rich but rather tame and petty scenery of the agricultural country nearer London. They talk a dialect which at times is scarcely intelligible to the ear of a cockney; and are not very propitious to strangers. They are, in fact, a stubborn, independent race, less amiable and far more prosperous than the average of our population. Their style of conversation may be estimated from the following typical fragment. A stranger meets a rustic on the high road and says: "Good night!" "Good night," is the reply, "and damn you." Still they are a fine race, full of character, and with much intelligence and vigor. I will not, however, enter into a discussion of their merits; only remarking, for the benefit of travellers in England, that by diverging a little way from the beaten tracks they may often come upon provincial populations preserving much that is interesting and characteristic. I mentioned my absence from London by way of apology, in case my news should be somewhat of the stalest. And yet I know not whether it is necessary; for just at the present moment all England is talking about the same subject. You will have heard before receiving this all the details of the massacre

of English travellers by Greek brigands. The telegraph deprives me of the chance of ever conveying a piece of news with the bloom of freshness upon it, and I am not sorry to be excused from dwelling upon a very painful subject. At present, the only question seems to be how far we can hold the Greek Government responsible. The brigands were evidently well informed as to the position of their captives. One of them, who was fortunate enough to escape, was an English peer; and two others who were killed were brothers of well-known noblemen. The brigands therefore made a moderate demand in asking for £25,000, and, if the Greek Government had behaved with proper consideration, they would have received it. Where brigandage has been carried out so systematically, and there is a regular connection between the ministry and the leaders of the robbers, it would seem that an arrangement should have been easily made. The Greek Ministry, however, vacillated, and, after promising to facilitate the payment of the ransom, suddenly declined to give an amnesty, and then sent troops to attack the brigands. The result was only what might have been expected; and we have an unpleasant difficulty upon our hands. I presume that after more or less expenditure of eloquence it will be satisfactorily settled, as a government which depends so much upon the good-will of its powerful neighbors cannot afford to allow massacres of their subjects to take place within twelve miles of the capital. The principal interest in the matter to those who have no relatives in danger will consist in the light thrown upon the condition of Greek society.

This Greek trouble has for the moment driven out of our heads another topic which had previously been causing great excitement, and of which we have not heard the last. Mr. Newdegate, as you may be aware, is the great champion of Protestantism in the House of Commons. As a general rule, champions of Protestantism are regarded as bores, and their feeble attempts at rousing the anti-Popery spirit of the nation are unequivocal failures. It so happened, however, that a motion brought forward by Mr. Newdegate for enforcing the inspection of convents was carried by a surprise. Government attempted to meet it by the previous question, but by some unforeseen accident their usual majority was not at hand, and Mr. Newdegate has had a temporary triumph. It is scarcely probable that he will get anything more; but the state of feeling which has been waked is deserving of notice in several ways. Ultra-Protestants of course are exultant, and some of them probably believe with more or less earnestness that convents are the scenes of iniquity and tyranny such as General Garibaldi has attempted to describe. On the other hand, the Catholics are furious; they have held public meetings; they have declared with much emphasis that all the nuns are saints and angels, and all the convents are little heavens here below; and they have declared Mr. Newdegate's motion to be unprovoked and insulting in the extreme. Moreover, they have given very broad hints to Government—or so it is reported—that Catholic members will oppose every Government measure if countenance is given to the obnoxious motion. Considering how much Mr. Gladstone depends upon the support of Catholics in his Irish policy, this is of course a very serious threat.

Meanwhile, what does the ordinary Englishman, who reads his *Times* and calls himself a moderate liberal and conservative, think about it? I should say that he looked at both sides with a certain malicious amusement. He has long ceased to care much for the old Puritanical prejudices, and considers Mr. Newdegate's zeal to be on the whole a fair matter for ridicule. Mr. Newdegate is a gentleman, and a man of some sense; but unluckily he is seconded by two or three zealots, who are constantly bringing the cause into contempt. Poor Mr. Newdegate was provoked last session into remonstrating with his *soi-disant* supporter, Mr. Whalley, in public, and declaring that he was bringing the whole cause into contempt. And there are worse men than Mr. Whalley—such, for example, as Mr. Murphy, a vulgar ignorant ranter, who goes about the country getting up, or trying to get up, rows between the English and the Irish laborers by insulting the religion of the last. In short, the old-fashioned and hot Protestant zeal has fallen into discredit, and I fancy will never again show much vitality. But it would be the greatest of mistakes to fancy that this showed any approximation to sympathy with Catholicism. Of course, a good many converts have been made of late years. Catholic churches and chapels have multiplied, and convents have increased still faster. Thirty years ago, convents were almost unknown, and now it is said there are as many as six thousand nuns. But, in spite of this, and in spite of ritualism and similar developments, public opinion is, I fancy, running in a very different direction. There never was a time at which priestly authority was more generally unpopu-

lar and even contemptible. The movement towards Rome has included a great many clergymen and many women of the higher classes, but it has entirely failed to strike any deep roots in the nation. The Catholic party has rallied to itself precisely those people who are most averse to the general movement of English thought, and is intrinsically feeble as well as unpopular. Hence, I think, the common sentiment may be expressed somewhat as follows: We think that Mr. Newdegate is a bigot, and many of his supporters are bigots of the most unpleasant kind. We have not an atom of sympathy for them; but, on the other hand, we do not sympathize any more with their opponents. We would rather that nothing had been said about convents, for we do not seriously believe that any great evils are in existence; and we certainly regret that what has been said should have taken a wantonly insulting tone. But as the question has been raised, we would rather have convents inspected than not. Of course, it should be done in such a way as to give no unnecessary offence; but it would be rather a good thing on the whole, and decidedly gratifying to our feelings, to show that we will not trust ecclesiastical authorities further than we can see them, and that we are fully determined to keep a strong hand upon their proceedings. Of course, we leave young women to make fools of themselves (which I fear is the average English expression for going into a convent) as much as they please; but we should decidedly prefer that the priests shall not be left to be their sole superiors. The main argument of the Roman Catholics is that they have perfect confidence in their bishops; and that is an argument which does not precisely commend itself to the English mind. We are more apt to consider all priests as foolish and objectionable persons who will be all the better for lay control; and Roman Catholic priests as the worst examples of the class. I imagine that Government will be able in one way or another to shelve the question for the present; but the feeling which has been evoked is significant of the rising importance of ecclesiastical disputes in general. In every direction there are symptoms that the relations between church and state are bringing on a new series of contests.

Correspondence.

HOW TO DEAL WITH POLYGAMY.

TO THE EDITOR OF THE NATION:

SIR—May a subscriber ask for a place in your columns for some remarks suggested by a paragraph in your issue of April 21?

You say: "In polygamy all parties concerned are consenting parties. The arrangement is what the civil lawyers call consensual. In other words, there is nobody in it calling herself or himself a victim, and appealing to us for protection. . . . The nearest approach to a precedent for the proposed action of our Government towards the Mormons is the dealings of the English Government in India with the Thugs, who held it to be a religious duty to murder and rob. But then they did not practise the rite on one another, but on Gentiles, who were utterly opposed to participation in it, and were therefore entitled to have the Thugs exterminated. We may add, too, that on the simple ground of feasibility there is a wide difference between regulating the sexual relation and any other. Any relation of the sexes generally approved of by public opinion cannot be restrained by law."

This seems to say that, so far as the state is concerned, a man may take a bevy of wives, if all the wives are willing, and the select district in which he lives is not scandalized. Leave the case to the public opinion of the spot to which it immediately belongs, whatever the rest of the country may think of it. If Indian Thugs had despatched only Thugs, the Indian Government need not have stirred. Let Thuggery exterminate Thuggery—a good riddance to it. Now, is this view quite up to the demands of modern ideas? Is not a faithful government in these days expected to stop, so far as it can, the profession and practice of consensual slaughter? If, again, a community should settle itself on an uninhabited tract within the jurisdiction of a civilized power, and bring in a religion of human sacrifice, especially the sacrifice of women, how then? No woman need call herself a victim; every woman would exult in the spiritual despatch. Care being taken to molest no stranger, the lot would fall on the privileged, not on the persecuted. And yet the nineteenth century might hesitate to absolve the state from trying to overthrow the barbarous altar and trample out its fire.

Marriage undoubtedly requires consent; but as an institution it has more than a contract in it. First the contract, then the relation; the contract for the sake of the relation; the relation vital to the state; the state its regulator and guarantor. The sanctity of mar-

riage is a public interest, far transcending the scope of any ordinary contract. Whatever may be set up by way of excuse for polygamy in the East, Western civilization hitherto has loathed it. The idea of one to one has marked, for the most part, the European family of nations, and especially the Teutonic race. To us that moral, spiritual, cordial unitedness of man and wife, which we were wont almost to worship, is impossible on any other basis. The mutual all-in-all of married life is a mere dream without it. A man who gives his heart in twentieths to a score of mates is a twentieth of a husband to each. The harem is a poor mockery of the home, and the home is the last quarter in which the doctrine of non-protection should be applied. Political toleration cannot be bound to remit individuals or societies, however willing, to the license that preceded law.

Can, indeed, a province that, in spite of a degrading taint, is outwardly more than half-civilized, now sequester itself from the vision of the rest of the world? Any peculiar community, in these days of inquisitive travel, is sure to draw private curiosity, and that is sure to end in public gossip—the more peculiar, the more attractive to certain minds; the more coarse, the more fascinating to certain other minds. The United States supply, within their borders and their dominion, a lawless and shameless spectacle to the gaze of mankind.

Even if, for the sake of the argument, it be granted that possible isolation may be a plea for legislative abstinence, where is the lawgiver to draw the line? Shall any grandee plant his free-will seraglio in his secluded park if only he keeps off all trespassers? But it may be said we are dealing with a self-governing commonwealth. In fact, this has been too nearly true. In right, it is utterly otherwise. The normal Territory is neither self-governed nor mature. It governs itself just so far and so long as a higher power chooses to trust it. Theoretically, it is at the mercy of Congress, which—under or not under certain limitations in the Constitution of the United States, not one of which touches the power to interfere, whatever may be said of means—for the gauze of "religion" cannot shelter everything—may at any time revoke and cancel Territorial laws. A Territory is a dependency. Its condition is prospective; it is an apprentice. Probably, in every one of the States into equal partnership with which it aspires to enter, polygamy by name, or in its early stage of bigamy, is treated as a crime, not reducible to a mere breach of contract, to be condoned carelessly or collusively by the parties immediately concerned. The public opinion of the *United States* is not yet Arabian; the act of July, 1862, which makes bigamy a crime in all the Territories and in all places subject to the exclusive jurisdiction of the United States, presumably expresses the general sentiment of the country. It is law in Utah at this moment, though it be still a dead letter. Every Territory is under training. What sort of training for entrance into the company of the States is furnished by an education that saps the very stay of family life? The Territories are nominally open to all comers. The Mormon community recruits itself freely from the dupes and devotees of lust, fraud, and superstition in the Old and the New World. Foul runnels trickle into the great sink. The curse feeds and strengthens itself; for decently-bred persons shun its borders. Thus far, the Territory has been virtually closed against the very settlers on whom a regular State can safely or excusably be built, and the Sultan of Utah faces the President of the United States, peer to peer. Every hour adds to the ugly anomalies that are gathering up against a difficult day of "reconstruction." As if we had not broken teeth enough already on that file. Friction, early or late, must come between this exceptional stumbling-block of polygamy and the accepted pillar of marriage. The thing should have been crushed out at the start. We let the dog in, and now we have the whelps to fight with. We have waited very long on the chapter of accidents. When Brigham Young dies, as saints must, another hierarch may rise to treat on condescending terms with the Gentile of the White House. No doubt, the difficulty of solving this problem is very great. Puzzling questions of various kinds beset it. We have allowed a sort of prescription to overgrow it. But to fold our hands and wait till local opinion comes round—that is, till Satan casts out Satan—because public opinion is law in affairs of sex, if logical, is humiliating. Let us be anxious, at least, to unfold them at the first chance. The situation is not to be too patiently accepted.

One word more. The material prosperity of the Mormon settlement, in the hands of a shrewd and knowing manager, has half-veiled the true character of the government. It is a spiritual despotism, wielded by a carnal priesthood. That is the corner-stone of this sensual and consensual den. Though the degradation of woman, under the forms of "spiritual marriage," be an affair of sex, it is also a good deal besides, and the

nation may dare to use the first fair support it can find for a lever to wrench the bolts out of the system. May it find one very soon. Y. Y.

[Our objection to the horse-thief illustration of the *Chicago Tribune* was that it was not a parallel case, no count being taken in it of the two most important elements in the Mormon problem—the religious feeling in favor of polygamy and the popular approbation of it. It consequently was as an illustration misleading, and not enlightening. We never meant to say or insinuate that horse-thieving, if practised as a religious rite by a whole community, would be a respectable usage which the Government would be bound to let alone. What we meant to say, and said, was, that in considering the best mode of getting rid of it, Government would be bound to take note of the fact that it *was* a religious rite, and not merely a means of gratifying bad passions, and that it would therefore be doubtful whether the use of force was expedient; or, at all events, whether other influences would not have to be tried first. We mentioned the British dealing with Thuggery in India as a much nearer approach than horse-stealing to an example for us in dealing with polygamy; but pointed out that Thuggery, although of divine ordinance in the eyes of the Thugs, unlike Mormon polygamy, wanted the consent of its victims. In other words, we tried to explain that Mormonism was a novel and peculiar problem, such as no government ever before had to solve, and that it would, therefore, be great folly to attack it with the common law and Hobbes's *Leviathan*. Our objections to polygamy as an institution are just as strong as "Y. Y.'s"; but they are no stronger than our objections to prostitution and drunkenness, and we are quite sure its influence on society is no worse. Nevertheless, if it were proposed to put everybody in jail for two years who was found guilty of fornication or intemperance, or confiscate his or her property, we should oppose it, and for precisely the same reasons which lead us to oppose Mr. Cullom's bill for the suppression of polygamy. Righteous indignation is a poor guide for a legislator. It is no longer permitted to us to hope, in our time, that the walls of Jericho will fall if we walk round them and blow a horn. We have to plant batteries, open a sap, make regular approaches, and be advised by competent engineers that the breach is practicable before we make our final assault, although we may all the while be firmly persuaded that no city ever did contain so many shameless rascals, or was the seat of so many abominations.—ED. NATION.]

PUBLISHERS AND COPYRIGHT.

TO THE EDITOR OF THE NATION:

SIR—People sometimes ask why the copyright question makes so slow progress. One reason is that the matter still remains in the primary and chaotic state, so far as the general public is concerned. The national mind now stands, in relation to international copyright, just where it did in relation to free-trade at the close of the war; that is to say, it has forgotten its previous knowledge, and possesses only the most vague and imperfect ideas. The "Veteran Observer's" notion that revenue tariffs and copyright laws were inconsistent is a case in point—a strong but by no means a solitary case. Some months ago, an editorial acquaintance, in criticising something which I had written for him, quietly taxed me with "entire ignorance" of a material fact. This great fact I had left out of consideration, merely because I did not consider it relevant to the points at issue, though a superficial observer might have imagined a connection. In short, the editor had started a regular game of *controversia*, or cross-purposes, which I did not think it worth while to pursue further in print; but, when we next met, I explained it to him in a few sentences, and he owned that I was right.

Not to weary you with examples, I proceed to the subject and object of this letter. All the persons whose names appear at the foot of title-pages are indiscriminately spoken of as *publishers*, and we hear it said that the "publishers" think so and so about this and that, whereas the term comprises two very distinct classes—the *publishers* proper, and the *book-manufacturers*. The latter name is not a very good one; it does not explain itself, and, from the apparent analogy of "book-making" and other phrases, may cause confusion; but it is the best I can suggest—in fact, we want a new word for the business. The publisher, pure and simple, only *publishes* books, that is, introduces them to the public. He has nothing to do with making the materials of his books, that is, the *material mate-*

rials—if you will allow the expression—the paper and ink. He owns no types, no plates, no printing-presses; his printing is done for him by other parties, just as his binding is. The book-manufacturer owns all these things, and makes books on so large a scale that his business as a publisher, extensive as it may be, is quite subordinate and secondary to the other branch. Hence the relations of these two species to authors and to the public differ in many respects, but I only wish at present to call your attention to one of these differences. *The publishers proper are all in favor of international copyright; the book-manufacturers are nearly all dead against it.* I do not think your intelligent readers will require an explanation of this fact; but, should the reason be asked for, I am always ready to show how it follows, from the respective differences of the two species.

CARL BENSON.

May 4, 1870.

Notes.

LITERARY.

MESSRS. D. APPLETON & Co. have in press "The Song of the Sower," by William C. Bryant, illustrated; a new edition, revised and extended, of their "Hand-book of American Travel;" "The Lady of the Ice," by James De Mille; "Lay Sermons," by Prof. Huxley; "Primitive Man," by Louis Figuier; and Sir John Lubbock's "Origin of Civilization, and Primitive Condition of Man."—Messrs. Harper & Bros. issue a new edition of "The Literature and Literary Men of Great Britain and Ireland," by the late Abraham Mills, A.M.—a work of which we lately said, it is "a body of sound criticism, by the best critics, upon all noted English, Scotch, and Irish writers, from the days of Alfred to those of Junius; and this criticism is illustrated by selections which are very judiciously made." We also preferred it as a text-book to those compendiums hitherto in use in our schools, and we now understand that the forthcoming edition will find its way into some of our higher courses of instruction, where it can hardly fail to do good.—A life of the well-known New York merchant and philanthropist of forty years and less ago, Arthur Tappan, is in preparation by his brother, Mr. Lewis Tappan, who has also earned a title to be remembered as one who loved his fellow-men. The book will be published by Messrs. Hurd & Houghton, and will doubtless have a good deal to tell of the early days of the anti-slavery agitation, when it was not every merchant who was willing to avow himself an abolitionist, or subject himself to mob violence, or redeem the fanatics of that time from the common jail. Messrs. Hurd & Houghton also announce "Paris in December, 1851, or the Coup d'État of Napoleon III.," translated from the French of Eugène Ténot (13th edition) by T. W. Adams and A. H. Brandon, who add numerous original notes. Also, "The Choice of Paris," a classical romance by S. G. W. Benjamin.—With monthly part No. 30, Zell's Popular Encyclopedia completes the letter H and its first volume. This enterprise, though less original and, from its nature, more liable to defects than such undertakings as Thomas's Pronouncing Dictionary and Allibone's Dictionary of Authors, must nevertheless be ranked with these in point of magnitude and utility. A larger staff of editors might, and of course would, have ensured greater accuracy, but even then the "perspective" of the compilation would have been difficult to regulate. There will be one other volume.—Those who were interested in the proceedings of the American Philological Association at Poughkeepsie last July, will find an abstract of them in a small brochure just printed in this city, and to be had, we presume, of the secretary, Prof. Geo. F. Comfort, at Franklin Square, in this city. We learn from an announcement at the end of this report that the Association will hold its second annual session in Rochester, N. Y., beginning on the afternoon of the 26th of July next. Persons intending to be present are requested so to inform either Prof. Comfort as above, or Prof. A. H. Mixer, at Rochester. Notices of a desire to read papers at the convention must be sent to the former by July 15.

—The firms which publish books by subscription have recently united in an agreement that they will discharge and mutually refuse to re-employ any agent detected in selling their books to the trade or to newsdealers, or in any way but as he is engaged to do. The number of firms of this description is stated to be: Hartford, Conn., the headquarters of the business, 12 to 14; Norwich, 1; Springfield, Mass., 3; New York,

* Nearly all. Quarrels among themselves have driven over a few to the other side.

7; Philadelphia, 5; Cincinnati, 5; besides others which we are unable to locate. In the eight years, 1861-68, there were issued from Hartford alone about 30 subscription books, the other cities publishing, perhaps, enough more to make 100. The business in Hartford amounted during that time to \$5,000,000, and employed 10,000 agents in disposing of 1,426,000 copies. The character of the works which have been sold in this manner, and the extent of sales, may be gathered from the following statistics: Greeley's "American Conflict," 225,000 copies; "Nurse and Spy," a tale of the war, absolutely devoid of merit, 175,000; Kettell's "Rebellion," a work we hear of for the first time, 120,000; the late A. D. Richardson's "Field, Dungeon, and Escape," 100,000, and his "Beyond the Mississippi," 90,000; Stephens's "War between the States," 62,000; Frank Moore's "Women of the War," 60,000; Prof. Stowe's "Origin and History of the Books of the Bible," 60,000; Mrs. Stowe's "Men of Our Times," 55,000; Mark Twain's "Innocents Abroad," 60,000. An utterly valueless work by the Rev. Matthew Hale Smith, called "Sunshine and Shadow," has had a sale fully equal to the average of those just named, and other adventurers in this same field have been Dr. Holland; the historians, Abbott, Lossing, and Headley; newspaper correspondents, like Junius H. Browne, Thomas W. Knox, and George Alfred Townsend; editors, like the late H. J. Raymond, Samuel Bowles, and Augustus Mave- rick; law professors, like Chamberlain and Parsons; together with Mr. Beecher, Mr. Parton, Mr. P. T. Barnum, and a few other persons of some note as lecturers or writers, including, among the latest, Miss Olive Logan. The impetus given by the war to this business is apparent, and it furnished not only popular subjects for book-making, but a host of cripples to serve as agents. Religious books, embracing a "Cottage Bible;" medical works; and books for making every man his own lawyer, represent what may be called the natural staple of the subscription business.

—We have not reckoned among these publications "Appletons' Encyclopædia," and similar works, involving an enormous outlay for a period sometimes of years. These exemplify the legitimate uses of subscription agencies, where the public may fairly be called upon to share, for their own good, a burden too great to be shouldered by any publisher. The feature which distinguishes the subscription business that has sprung up during the last ten years is, that it may be carried on with almost no capital, and without any risk whatever—even of bad judgment. We have cited chiefly original works, but an equal number, we believe, are reissues of books that have had their day and dropped out of the market, or, like Smith's Dictionaries, are reprinted from foreign sources. Of the former class is Sears's "History of the Bible," which some of our readers may remember as a new publication, and the plates of which were, after a long interval, offered for sale at \$500, probably costing less to the final purchasers, who at once sold 150,000 copies. "Moses and the Prophets," "Indian Massacres," and "Chambers's Information," were in like manner dug out of their graves and set to walking the earth again. Among the reprints, Smith's "Dictionary of the Bible" and Baker's "Nile Tributaries in Abyssinia" are the best we can name, though neither could be trusted for typographical accuracy.

—Recurring to the original works of which we have given the statistics, we venture to say, with all respect to their authors, that there is not one the loss of which would have been seriously felt in our literature, and without any qualification we assert that not one was prepared with the conscientiousness and thoroughness that would have been felt necessary in a work designed for the regular trade, or in a work on which the author was ready to stake his reputation. On this last point, especially, we insist, because every author ought, in his slightest work, to have regard to his reputation, and because the requirements of the subscription business are such that it is generally impossible for him to do his best or anything like his best. The elements of success for an original subscription work are these: (1) It must be timely—the subject of a biography, for instance, is hardly cold under ground before the biographer has contracted to deliver twenty or thirty pages of copy per diem until the life is written; (2) it must be "popular," and that is a sufficient reason, besides haste, why it cannot be first-rate; (3) it must be bulky; all the better if in large type and double or triple-leaded, for so the 600 pages will be more cheaply filled; (4) it must be flashily bound and have a very expensive air; (5) it must be high-priced, or else it will never give support to canvassers, whose commissions amount to 50 or 60 per cent. The result is that books of this sort are sold for 25 per cent. more than books of the same style and cost of manufacture are sold for through the trade, and the public is imposed upon in every particular—merits of

contents, of paper, type, and binding, and publisher's outlay. In short, to sum up the ethics of this business as now conducted—simply with an eye to profits—we may say that it depends for its prosperity on the want of literary discrimination and practical knowledge of books of the people of the rural districts, and on American good-nature, which cannot withstand the appeal *ad misericordiam* of a subscription agent in the guise of a one-legged soldier, a widow, a young lady supporting her only mother, or a superannuated clergyman. For the injury done to the booksellers' trade we refer our readers to a series of excellent articles in the New York *American Booksellers' Guide* for the first half of 1869 and March, 1870. And as for the authors who consent to be demoralized by subscription contracts, we may state that they are allowed but 5 per cent. on the selling price, while their copyright with publishers of the old school is 10 per cent.; and that, obviously, in order to acquire the same income, they must have twice as many copies sold in the first instance as in the second.

—The *World* has claimed a right of invention in the excellent word "carpet-bagger," but it is at best (like most wit) but a case of *re-invention*. The word itself is some four centuries older than those who would assert a right of patent in it. In the third chapter of the Second Book of Monstrelet's *Chronicles* is the following passage: "En ce temps la Comtesse de Hainaut, douairière, fut défiée d'un pauvre *saque-main* (carpet-bagger) lequel étoit nommé l'Escremot-Câtel, natif de Ligny en Cambrésis, pour lors capitaine de la tour de Beaumont." The parallel is exact. Escremot-Câtel (an unsavory name) was an adventurer from abroad, for the time being in a post of some consequence, and making the most of his opportunity by pillage, as presently appears. At any rate, there is the very word "carpet-bagger."

—The *American Law Review*, which is now on the eve of entering upon its fifth volume, continues to be the valuable periodical which it has been from the beginning—its digests being serviceable as being practically an index of current decisions both in this country and in England; its reviews of new law books being the work of careful hands; and the articles in the body of the magazine being, if not authoritative—as, indeed, what law can be which does not come from the bench?—at least marked by more than ordinary knowledge, and such as to be in various ways helpful to the profession. It is of course not very often that the literary world, as such, is directly interested in any of the contents of the *Law Review*, but now and then, as in the number before us, there is a paper which is worth the attention of writers and publishers, whether or not readers need care much for it. "Copy before Publication" is an essay of the kind to which we refer, and its subject is the decision which the Circuit Court of the United States for the Southern District of Illinois has recently rendered in the case of *Crowe vs. Aiken*. Mr. Crowe is the husband of the actress known to the boards as "Miss Kate Bateman," and Aiken is a theatrical manager, who produced without Mrs. Crowe's leave the drama of "Mary Warner," which Mrs. Crowe, or her husband, procured to be written for her especial use by Mr. Tom Taylor. Four hundred pounds sterling the Crowes paid Mr. Taylor for the right of playing the piece for five years in this country, and, as "Miss Bateman" is a "star," who plays here and there and everywhere, it behoved the Crowes to prevent any manager's presentation of the drama in which she does best. They therefore brought suit against Aiken, who seems to have had little or no defence, but whose plea in bar of an injunction has caused the laying down of the following principles, by which, no doubt, the fraternity of authors and managers in this country will be for some time governed. An author, whether of plays, lectures, or sermons, has, before publication, an exclusive right to control the use of his literary productions; and no one in the audience of such author is at liberty to take down in shorthand the play, sermon, or lecture as delivered by actor, preacher, or lecturer. Moreover, at common law, the delivery or representation of a sermon, lecture, or play does not constitute publication; and although, by an English statute (5 & 6 Victoria, cap. 45, § 20), the first representation of a play does constitute publication, our American statutes have never limited the common-law right. So, then, when Mr. Emerson, for instance, asks the press to refrain from giving *verbatim* reports of a lecture of his, he asks no more than he could, in all probability, safely demand and insist upon. To be sure, says the court, from whose decision we are quoting, a person who, by unassisted memory of a performance that has been authorized by its literary proprietor, can carry it away in his head, may be entitled to reproduce it from his recollection of it—though why this should be so is not too clear, the author's right being the same, the layman might think, whether thieves have extraordinary powers of memory, or only ordinary.

But there will always be a presumption, the court remarks, and a strong one, that an unauthorized representation of a play—and we suppose the same thing holds of the re-delivery of a sermon, speech, or lecture—is not the fruit of an unaided effort of memory, but is proof of stealing, and the burden is laid on the defendants in such cases of showing that they have not been guilty of larceny. Thus much is law, says the court, as regards one or two representations of a play, or repetitions of a lecture or sermon; but as for repeated authorized representations, or regular deliveries by preachers or lecturers—they would operate as a dedication of them to the public, and make them, we suppose, the lawful prey of anybody who could make it appear that he had got them without the help of other people. Probably the cases are few in which the law, as thus laid down, would be invoked by any persons except such as hold the manuscripts of plays, the lectures and sermons being not very many which would be worth anybody's while to steal, unless he could at the same time kidnap the lecturer or clergyman, and exhibit him to audiences; and there being also few "platform speakers" who do not welcome any possible sort of advertising. But it is beyond a doubt that the managers of theatres, the agents of "stars" and "troupes," the authors of "adaptations," and the theatrical world generally, would be all the better for having a sharp eye kept on them. Another of the papers in this last number of the *Law Review*, in reading which the general reader may take pleasure, is one with a title that most general readers will look at with some small bewilderment. "Contributory Negligence on the part of an Infant" is its heading—a heading of which a full and clear interpretation is furnished by the essay, of which we say no more than this, which is perhaps more than we have any right to say: the subject treated of is interesting as being precisely one of those on which "the common sense of mankind," and the common sense of mankind as expressed by the judges, would seem at first sight to compel conclusions almost directly opposite; and—again speaking as a layman—is precisely one of those as to which the layman, on second or third thought, would coincide in opinion with the judges. The writer of the essay of which we speak is of opinion that some at least of the judges who have decided late Massachusetts and New York cases, involving questions of the contributory negligence of infants, have decided them wrongly, and that he does not establish his view as the true one we certainly are not prepared to say. But there is not much doubt that it would be a good thing if this essay, and others like it, were to be studied by the immense crowd of voters and writers who think that making new laws, instead of understanding old ones, is the right way of keeping government going and making it prosperous. People talk against the jury system; but when one thinks of the contemptuous ignorance concerning the working of existing law, and the ignorant superstition concerning laws to be made, one is excusable for doubting if the faithful jurymen may not be the saviour of republican government here, as he has been the defender and saviour of constitutional government elsewhere.

—The *Law Review* is not always austere, but occasionally permits itself to be decorously jocose, though it cannot be said to exert itself to do justice to the comic side of the profession, and indeed may be conceived of as repelling with dignity the hinted suspicion of its more than tolerating fun. In this number, however, it takes occasion to say that it cannot quite agree with certain remarks recently made by the Louisville *Courier-Journal*, which has been reviewing "Hardin's Reports"—a volume containing reports of cases adjudged in the Kentucky Court of Appeals between 1805 and 1808. The critic had to speak of several jurists; and among others of Judge Bibb, a judge once very well known west of the Alleghenies, and so well liked that, if we are not mistaken, he did not die before attaining the regular Southwestern and Western immortality of having a county called after him. At all events, Bibb County, in Georgia, bears his name; and that the old gentleman's memory is still green in that region his *Courier-Journal* reviewer gives sufficient testimony. This is how the latter speaks: "On page 157 we find in a foot-note a query stated in these words, 'Tamen quare de hoc.' How like that grand and simple old judge! Everything about him was fragrant with learning and genius." This little outburst will seem to some people incredible. But it will not seem so to anybody who knows much about the literary ability of the South—which, by the way, finds very good expression in the *Courier-Journal*, a paper which held and holds the mirror up to the average Southern nature, both political and literary, quite as well as any periodical south of Mason and Dixon's line. The North has had to endure a good deal of tolerably well-deserved caning for its literary deficiencies; and more or less of this was administered by the South, or by foreign critics who administered it directly in the interest of the South; but nothing

is more certain than that from the first day when literary work began to be done in this country, it has not lain in the mouth of any Southerner to say with anything like grace any but respectful words of Northern literature. It is not to misstate the facts in the case to say that practically the whole South was precisely as fragrant with learning and genius as Judge Bibb's admirer appears to be. True enough, there is no longer need of insisting upon considerations of this kind, which doubtless were never too profitable.

—If there is anything which experience in educating the young has settled for us, it is that school libraries (and we should probably have the Rev. Mr. Bacon's sanction in including Sunday-school libraries) for the use of the scholars are altogether unprofitable. The money which has been thrown away on them would, if applied to the repair of the school buildings, or to the furnishing of books of reference and apparatus for the teachers, have had an appreciable effect upon the standard of instruction in our common schools. In cities or the larger towns, no school library could compete with the public one, or even with the reading generally obtainable at home; or if it could, it would probably be composed of books which the State would not be justified in purchasing for the young. There is in St. Louis, as we observe from the Fifteenth Annual Report of the School Board, a special provision for school children which we are inclined to think unique. We refer to what is known as the Public School Library, which is now thoroughly incorporated with the general system of instruction. It is a collection of nearly 20,000 volumes, in which novels form a fifth part and juveniles a twelfth, the ratio of demand and issue during the year 1868 having been 31 per cent. for juveniles, 46 per cent. for novels, and 23 per cent. for the remainder. There is also a reading-room well supplied with newspapers, magazines, and other periodicals, American and foreign. Members or officers of the School Board are admitted for life to the privileges of the library, and all teachers in the public schools of the city and the pupils of the Normal School are admitted freely during their connection with the schools; and it is made easy for a pupil in the O'Fallon Polytechnic Institute to obtain a three months' privilege as a reward of faithfulness in his studies, and at the same time to gain credit for life-membership with each renewal of the privilege. Finally, any person whatever may use the library for three months for one dollar, and for life for twelve dollars paid all at once or in the course of three years.

—That part of the St. Louis report which relates to instruction in German is very interesting, and deserves to be printed separately for circulation among the school boards of other cities. It cannot be doubted that this branch of public education, wherever adopted, offers, even for Americans, a powerful inducement to settle there for the sake of their children. The number of enrolled school children in St. Louis during the past year was 21,186, and although 63 per cent. of them were born in St. Louis, and only 2 per cent. in Germany, more than 35 per cent. were of German origin. Not all of the latter attended the nineteen schools having German-English classes, but the report seems to make conflicting statements as to the actual number: on p. 29 it appears as 3,461; at p. 89, as 5,013. The proposed extent of German instruction is, wisely, only to teach how to read, speak, and write the language, all other lessons—as in geography, arithmetic, grammar, history—being in English. Experience has shown that one hundred or more German-speaking children should be in the school where German is introduced. This ensures full employment to the special teacher, and speedy acquirement of the power to converse on the part of the English-speaking scholars. "The German reading book should not be commenced until the second year of progress in the English Reader. Anglo-American children should in no case commence German before the fourth year in school." Recitations should be held in the regular class-rooms and not apart, and should not exceed half an hour in length—in the lowest grades even less. Besides the more obvious advantages of this intellectual fusion of the native and foreign elements of the population, the musical taste and feeling introduced by the latter will exercise a most happy influence on the American character. Finally, "the extra expense per pupil for the year 1868-9 was \$3.04 to each of those studying German reckoned in the average number belonging. This amounted to an addition of \$0.84 per pupil of the average number belonging to all the schools."

—"Even if we suppose," we remarked the other day, of the women of Illinois,— "even if we suppose the majority to vote in favor of accepting the suffrage, their getting it might be, and probably would be, a concession to a minority—since, in every closely contested election, the majority consists of two minorities." As we have been asked by a correspondent to explain

what we meant by this last sentence, we shall instance a case in which, out of a total polling of 1,000, the vote was divided between 520 on the one side, and 480 on the other. Now, this majority we can abstractly separate into two parts, 480 and 40, either of which is a minority of the total vote, and of which the latter decided the election. If the 40 had absented themselves from the polls there would have been no minority or majority, and no decision: consequently we may say that, as the phrase is in regard to third parties, they held the balance of power and determined what should be law for the majority. This is with us of so frequent occurrence, as in a State like Pennsylvania or Connecticut, that the virtue commonly ascribed to the rule of the majority, and the assumption that the voice of the majority is the voice of God, appear a little ridiculous. Very often, indeed, the minority that turns the scale is the unreflecting, negative, and weak-kneed class who vote, as well as they can guess, with the winning side; and too often this minority is bought and paid for. For all that, the majority is the best rule in practice that we have yet found, and nothing is more admirable than the regular acquiescence in it by minorities scarcely inferior in number to the prevailing vote. If the question before the women of Illinois were simply of what they wanted—as whether they would have a prohibitory law, or would grant a railroad franchise, or would order a removal of the State capital—the majority test would be unexceptionable. Where, however, the question was one of rights, the unwillingness to yield simply to the demand of a minority seemed to us to need the reminder that the essential part of many a majority is only a minority in disguise.

—At various times attempts have been made to seduce us into opening a department of "Notes and Queries," a thing that we have always refused to do for several reasons, of which there is one that alone is amply sufficient. Whether or not there is a limit to our knowledge—and we have never pretended to infallibility and omniscience in respect of such matters as are rather curious than of benefit to mankind—there is, at any rate, a limit to the space at our disposal—a limit of which we are seldom without a more or less painful consciousness—for constantly we are compelled to refrain from dealing with subjects that deserve attention, and to which we would gladly give it had we more room. Like other people, however, we occasionally depart from our rules, and are about to do so now, this present departure being made partly for the sake of saying, what we have said above, that in general we decline utterly the attempt to answer such questions as this that follows. A correspondent wishes to know who is the author of the well-known spirited song which begins with the line:

"We meet 'neath the sounding rafter,"

and which has for a chorus some such truculent lines as these:

"Here's a cheer for the dead already,
And a health to the next who falls."

Spirited we have called the song, and so it is; and although it is too long, and has not the finish which ensures length of days, no doubt it will for some time yet be popular in the barracks and ward-rooms among the gentlemen who used to drink "a bloody war and a sickly season." Moreover, there is something impressive in its grim, not to say ghastly merriment; for it offers itself as the voice of a drinking company of soldiers among whom the cholera is at the moment making havoc. So, at least, we have heard; and its origin we have heard attributed to some verse-maker who was in the British army in India at a time when the pestilence was raging in the camp or quarters. But whether or not this is certainly so, we cannot tell; nor do we remember to have ever heard the author's name, which we hereby promise to print if any one will furnish it to us. So also in regard to the author of the anonymous lines which we quoted from Mrs. Celia Thaxter's last article in the *Atlantic*—lines which we print again for the convenience of possible informants, and also because they are lines that much more easily can be printed not often enough than too often:

"Ships, ships, I will describe you
Amidst the main,
I will try you,
What you are protecting
And projecting,
What's your end and aim.
Some go abroad for merchandise and trading,
Another stays to keep his country from invading,
A third is coming home with wealth and costly lading.
Halloo! my jancie, whither wilt thou goe?"

A correspondent writes to us to say that these melodious and captivating verses, which linger in the memory like music, are prefixed to Washington Irving's "Voyage," and are there credited to an "Old Song." Now, says our correspondent, Irving's "Old Song" was much the same as Scott's "Old Play;" that is to say, when he wanted lines for mottoes and

the like, he himself made them and attributed them to forgotten authors. To this we shall say, that we should want very much stronger evidence than is here suggested before believing that.

—The British people are being persuaded by their physicians that insanity is greatly on the increase among them, and a writer in the *Quarterly Journal of Science* has stated that not only is this the case, but that "the cures of the insane in our private asylums are not more numerous than they were from 1748 to 1814, when the treatment of the insane was a disgrace to humanity." In ten years, says another writer, the number of recorded lunatics has increased 45 per cent. The plan of large asylums has proved to be unfavorable to recovery, and yet these have every year to be enlarged to accommodate the growing number of patients. The increase is confined almost wholly to the pauper class, and thus intimately connects the problem with that of pauperism. With us, if we are not mistaken, the most alarming phenomenon in regard to insanity is the increase of it just in proportion as crime diminishes. There being no crime without legal responsibility, and "frenzy" and "temporary insanity" not admitting of the latter, society seems likely to be divided hereafter not into the good and the bad, but the sane and the insane—a distinction which would serve well enough as the basis of a new code if we were not dependent on "experts" to tell us which are which—and all actions into customary and "abnormal." In fact, the practice of summoning skilled witnesses to sustain either side of a case at law has long since condemned itself as wholly untrustworthy and misleading. Medical evidence is even more to be suspected than any other, and we hope the time is coming when no member of the profession who respects himself, and who wishes the esteem of the best portion of the public, will consent to testify at the request of either party in a criminal suit, unless where there could be no difference of opinion among intelligent physicians—that is, where the facts are capable of scientific demonstration, as by an appeal to the microscope. The inconvenience of the conflict between experts before commissioners in lunacy, in the probate and divorce as well as in the criminal courts, has made itself felt in England, where also the law is too vague in defining "unsoundness of mind." The *Pall Mall Gazette*, in discussing this subject, refers for an example to be followed to the Bavarian Code, as compiled by Anselm von Feuerbach, which "provides that in every case involving questions of medical science, the court trying it shall be empowered to associate with itself a certain number of medical assessors, to participate in the deliberations of the judges on those points with which they are professionally conversant." The advantages of having these assessors paid by the court, and judging as the court and not as partisan witnesses, is apparent. A writer in the *Philadelphia Medical and Surgical Reporter*, of May 14, a physician, while deprecating the employment of physicians as witnesses, is in favor of openly employing medical, as assistants of the legal, counsel. His argument seems a good one.

—"L'Uomo e la Natura: ossia la superficie terrestre modificata per opera dell'uomo," is the Italian title of the Hon. George P. Marsh's well-known work on "Man and Nature," as published at Florence by G. Barbèra. The inconvenient octavo of the American edition is here exchanged for a handy 12mo, of 644 pages, beautifully printed in clear type. Mr. Marsh says in his preface that he has introduced numerous corrections, both in his facts and in his theories, and added both in the text and in the notes a great quantity of new data and illustrations, besides making some alteration in the subdivision of the work, and suppressing portions which chiefly concerned the American public; though we are glad to observe that these do not include the foot-note near the end of the first chapter, in which Mr. Marsh improves his "having the floor" to wander a little from the subject, and to expose with proper warmth the corrupting influence of railroad corporations, both in this country and in Europe (pp. 60, 61, Barbèra). Neither in his last chapter does he omit mention of the various projects for canals in the United States, like that to make an island of Cape Cod, or that to connect Lake Michigan with the Mississippi. To the Italians, this admirable work in their own language cannot fail to be welcome, advanced as they are themselves in many of the conservative and restorative modes of changing the face of nature. The speculations as to the consequences of opening the Suez Canal, on the fauna of the Mediterranean, and on the productiveness of Lower Egypt, will particularly interest a country which already bears witness to the political transformations due to the international thoroughfare built, in greater measure than is commonly understood, by Italian laborers. Mr. Marsh's book would serve in this country as the best kind of a text-book in Italian.

MR. FROUDE'S LAST VOLUMES.*

THAT Mr. Froude should close his history with the defeat of the Spanish Armada, in 1588, instead of continuing it to the death of Elizabeth, in 1603, is a surprise and, no doubt, a disappointment to most. We should have been glad of a complete history of the House of Tudor from his hands. But, after all, the limits which he has set to himself have this advantage, that they inclose a distinct period of national development, not merely the life of a dynasty. The reign of a great king often forms an era; but a reign is in itself essentially an artificial landmark, as compared with events which touch the real life of a nation. Mr. Froude's work begins, indeed, not with Henry VII. or Henry VIII., but with the Fall of Wolsey, the era of the commencement of the English Reformation. Fitly, therefore, it may end with the event which formed the turning-point in Elizabeth's career rather than with her death. The decisive events of 1587 and 1588 put an end to the long vacillation of the Queen, and forced her into a bold and honorable policy: "There was no more unwholesome hankering after compromise, no more unqueenly avarice or reluctance to spend her treasure in the cause of freedom."

For Elizabeth's reputation, to be sure, it were to be desired that Mr. Froude should continue the account of her reign, and exhibit to us the decision and energy of her last years as vividly as he has portrayed her earlier irresolution and meanness. These qualities, which Mr. Motley made clear enough, are here displayed with greater minuteness, and on a larger scale. France, Scotland, the Netherlands, Henry of Navarre, the Earl of Morton, William of Orange—all were again and again deluded and thwarted, not to say betrayed, by the utter want of system and vigor in her policy, and of a sense of honor in regard to her engagements. Mr. Froude's severe words seem hardly too strong for the facts which he relates: "She saw no reason to risk her throne for a cause for which she had at best but a cold concern. She preferred to lie and twist, and perjure herself and betray her friends, with a purpose at the bottom moderately upright; and nature in fitting her for her work had left her without that nice sense of honor which would have made her part too difficult" (vol. xi. p. 590).

The popular idea of Queen Elizabeth is different from this. To those who looked back to her reign across the troublous times of the Stuarts, it appeared with a halo of peace and prosperity. It was in truth a glorious period for England—a period of great events, marvellous activity, and genius—a period of new life, heroism, and spirit-stirring adventure. Naturally enough, so long as men saw only results, and could not penetrate to the undercurrent of events, Elizabeth had the credit even of things that were done in spite of her. "The general success of Elizabeth passes for a sufficient answer to doubts cast upon her ability. Effects must have had causes equal to them, and that she left England at her death the first of European powers is accepted as proof that she was herself the first of princes. It was not, however, the ability of Elizabeth, it was the temper of the English nation, which raised her in her own despite to the high place which she ultimately filled. The genius and daring of her Protestant subjects, of whom Walsingham was no more than a brilliant representative, formed the splendid pedestal on which her own small figure was lifted into dignity" (p. 457).

As a matter of personal character, Elizabeth's ruinous vacillation hardly deserves censure, inasmuch as it resulted from qualities in themselves "blameless and interesting. She was a person of clear intellectual perception, but without intellectual passions; singularly careless of herself, and therefore of undecided temperament. On great questions, where arguments are equally balanced, the loves and hates of men, their beliefs and sympathetic convictions, rather than conclusions of reasoning, give them resolution to plant their steps firmly. Elizabeth had none of these, and was in consequence uncertain, unstable, and vacillating" (vol. xii. p. 312). Neither need we criticize too severely her indifference in regard to the great movement going on under her eyes. If all Protestants had been Puritans or Calvinists, and all Catholics had been under Jesuit influences, it would have been a terrible thing for humanity. Luckily, the Lutherans and Anglicans on the one side, and moderate Catholics like Maximilian II. and Henry III. on the other, held the balance between the two extremes. Elizabeth's policy, as Mr. Froude points out, was a wise and humane one in itself. It answered in the first years of her reign, but, as the passions of both parties rose, it became no longer practicable. It was wise and humane to try to calm the fiery passions of both parties,

and preserve peace as long as peace was possible; it was weak and cruel to temporize and play false in such a juncture as then was. The times now demanded convictions and action.

However pardonable may have been Elizabeth's private indifference, however laudable her desire to preserve peace, her situation was such that her only safety consisted in boldness and decision—in allying herself frankly with one of the great parties against the other. This her statesmen saw clearly, and we can see clearly now; but Elizabeth could never be brought to see it until it was almost too late. Even in the moment of supreme peril she shifted, held back, tied the hands of her defenders, and withheld resources from them in a manner truly astonishing. A hearty alliance ten years earlier with the Netherlands, the Huguenots, and the Scotch Presbyterians would have led, perhaps, to a terrible and general war; but England would scarcely have been brought nearer shipwreck than was actually the case, and it is hard to say what might have been won for Protestantism by such coadjutors as Henry of Navarre, William of Orange, Burleigh, and Morton. But this was just what Elizabeth did not want; and here lies the peculiar misfortune of the times, that the interests of humanity at this critical period depended upon the whims and accidents of her who happened to be Queen. She is condemned, not as a woman, but as a sovereign. Indeed, if we wish to retain any of that respect for royalty which is naturally inspired by the great sovereigns of the fifteenth and first half of the sixteenth century, we shall do well not to tarry long with the rulers of the last half of the century. We have seen how Mr. Froude characterizes Elizabeth. Of Mary Stuart he says (vol. xi. p. 500): "Accomplished as the Queen of England often showed herself in the art of lying, her genius paled before the cynical proficiency of her rival." Henry III. of France was "weak and vicious," "weak, cowardly, and treacherous;" his brother, Alençon, "an unprincipled fool." Of Philip II. he says that "the 'leadon foot' of the King of Spain was as fatal to his friends as the irresolution of Elizabeth to hers," and that "he lived to show that the most cruel curse that can afflict the world is the tyranny of ignorant conscientiousness."

These two volumes, with the ten preceding, form a somewhat complete series by themselves, beginning with the murder of Darnley and ending with the death of Mary Stuart and its immediate consequences. Naturally, Scotch affairs occupy a good deal of space, and the endless intrigues and revolutions of party in the minority of James are narrated with perhaps more minuteness than is desirable. The last volume is, of course, the fullest of matter, being devoted mainly to the conspiracy and death of Mary Queen of Scots, and the invasion of the Armada. Both these events are narrated graphically and vigorously. The account of the Armada receives a peculiar interest from the detailed narrative of the voyage and sufferings of the Spaniards after the battle of Gravelines—a portion of the story not surpassed by any other in interest, and painful interest.

It is never safe to assume that the history of any period has been written once for all, and that any historical composition, however excellent, is destined to be a *στέφανος ἐς αἰῶνι*. With the present great and increasing industry in searching for new documents in English history, and the masses of correspondence and other original matter that are every year brought to light, it may be that the work which Mr. Froude has done so well will some time have to be done over again. There is this to be said, however, that the weight of the new evidence thus far has told with constantly increasing effect in favor of the two views which strongly characterize this work, as contrasted with the prevailing sentiment a generation or two ago; and it may be fairly presumed that this tendency will be even strengthened. Fifty years ago, it was the fashion to regard Elizabeth as a great sovereign, with a few feminine weaknesses, to be sure, which hardly detracted from the vigor and persistency of her administration; Mary, on the other hand, was looked upon as a lovely and unfortunate woman, whom circumstances had exposed to suspicion and persecution, while her only faults were thoughtlessness and indiscretion. New evidence, and the more careful study of the old, have steadily lowered each of these women in the judgment of the present generation, so that Elizabeth is considered perhaps more amiable, but certainly less great; Mary more and more unprincipled, but also more and more able. "Her crimes," says a recent writer, "done by an ordinary sinner, might have left her the compeer of such a paltry adulteress and murderess as Lettice Knollis. Done by such as she was, they raise her to the level of the Æschylean Clytemnestra."

However it may be with disputed questions such as these, the claims of Mr. Froude's work to the somewhat indefinite rank of a "standard history" are for the present well established. It is the only book that treats

* "History of England from the Fall of Wolsey to the Defeat of the Spanish Armada. By James Anthony Froude, M.A., late Fellow of Exeter College, Oxford. Reign of Elizabeth." Vols. XI. and XII. New York: Charles Scribner & Co. 1870. 12mo, pp. 703 and 658.

minutely of a most important epoch of English history—an epoch less full of stirring deeds, and therefore exercising a less obvious influence on the national development, than the century following, but one of no less vital importance. It is an eminently readable book. Of all Mr. Froude's high qualities as a historian, we should place picturesqueness first; his account of the Armada, for instance, is even finer than Mr. Motley's, and the chapters on the rebellions in Ireland are exceedingly graphic. Hardly inferior to this, if inferior at all, is his power of grasping the essential ideas of the period of which he is treating, and placing them clearly and strongly before the reader; of this, one of the very highest qualities of a historian, we have an admirable example in the opening of Chap. XVI., in the ninth volume; the conclusion is also fine, although perhaps inferior to the passage just referred to. His powers of analysis, both of policy and character, are good, although less marked than the qualities already mentioned. One gets a quite distinct idea of the personalities of the leading characters, but it is in most cases rather from their actions and copiously quoted words, than from any careful judgment of the historian. So with the diplomatic puzzles, and the bewildering politics of the French and Spanish courts; these are carefully analyzed, and made, on the whole, clear and comprehensible; but one doubts, after all, whether the analysis is complete and exhaustive.

Mr. Froude has been criticised, and we think justly, for neglecting the constitutional history of the period of which he treats, and confining himself almost wholly to the prominent events of the day, especially in their ecclesiastical and diplomatic bearings. We think, for the matter of that, that it is a mistake for a historian to enter largely into questions of antiquities; but antiquarian topics should be handled at least so far as they have purely historical aspects. This Mr. Froude has not done in a sufficient degree, and we must consider it his most serious defect as a historian. Another defect, and this of style, is the degree in which he repeats himself—the same ideas, almost the same words, one meets with again and again. In like manner, the abundant extracts from correspondence and other papers are full of substantial repetitions—a practice serviceable, perhaps, in intensifying an impression, but carried, we think, to excess. While, therefore, we do not think that Mr. Froude's place will be in the first rank of historians, we do not hesitate to pronounce this work an adequate and worthy history of that great period during which the change was made from Popery to Protestantism, and at the same time the English nation entered upon that career of enterprise and adventure, of thought and action, which conducted to the great revolutions and the maritime ascendancy of the seventeenth century.

DR. THOMAS'S BIOGRAPHICAL DICTIONARY.*

DR. THOMAS'S great production, to which long years of conscientious and painstaking labor have obviously been devoted, affords us the rare pleasure of bestowing almost unstinted praise on an American publication of large dimensions, and not restricted to a specialty—for universal biography, like universal history, can certainly not be classified among specialties. In fact, we must declare it the best, as well as the most comprehensive book of its description, emanating from the pen of one writer—in any language—which has come under our notice. In stating this, however, we mean also distinctly to qualify our approbation. What the comprehensive scholarship, perseverance, energy, and critical accuracy of one man may fairly be expected to do in this field, our author has amply done; but whether a task of this magnitude, to be well executed, is not above the powers of any single scholar—whatever his attainments may be—is to us a matter of grave doubt. The best universal history planned on a large scale, if written by one author, can be nothing more than an ably executed abridgment of a number of special histories; an all-comprehending cyclopædia of biography, if not done by a number of scholars, each elaborating his special branch, can at the best be an excellent compilation. Dr. Thomas's Dictionary of Biography is an excellent compilation on a vast scale, here and there interspersed with sketches evincing both independent research and independent thought.

We need only turn a few pages at random in order to be convinced of the extraordinary fulness—we might almost say completeness—of the work, at least as far as concerns the biography of the leading nations and

literatures of the world, ancient as well as modern. A single column of almost exclusively French contents presents us with concisely executed notices of the following men, so little known to general fame: Boulard, philanthropist; Boulay, agricultural writer; Boulay de la Meurthe (Antoine, etc.), statesman; Boulay de la Meurthe (Henri George), statesman; Boulay, du, historiographer; Boulay-Paty, jurist; Boulduc (Jules François), chemist; Boulduc (Simon), chemist; Boule, cabinetmaker; Boulée, architect; Boullanger, preacher; Boullemier, ecclesiastic and writer; Boullenger de Rivery, jurist and *littérateur*; Boullenois, legal writer; Boulliau, astronomer; Boullier, Protestant theologian; Boullongne (Bon), painter; Boullongne (Louis), painter and engraver; Boullongne (Louis), son of the preceding, painter; Boulogne, bishop and writer. These notices are, of course, very brief, but others are expanded in proportion to the importance, historical or literary, of the subjects. Thus, while the majority of the articles are good for reference only, a large number of them, forming a considerable portion of the work, are readable—all being written in a clear, plain style, entirely free from lexicographical contractions and from abbreviations of any kind. The notices of Bayle, Brahe, Buckle, Carlyle, Carnot, Democritus, De Quincey, Descartes, and Dickens, for instance, are both brief and readable; others, like those of Alexander of Macedon, Bonaparte, Brahma, Burns, Byron, Cæsar, Calvin, Confucius, and Cromwell, are extended to the length, and partly elaborated in the style, of independent essays.

We unhesitatingly range ourselves on the side of the critics whom our author, as he expresses it in his preface, expected to "admit that, on the whole, the space allotted to each notice has been apportioned with a fair measure of justice and impartiality." And we must add that his endeavor to deal justly and impartially with his subjects, in this respect, is perhaps most evident there where a contrary inclination might most naturally be expected. Of this a comparison of articles like those on John Adams, John Quincy Adams, or Cooper, with the brief notices of Buchanan, Anna Dickinson, and similar celebrities of our day and country, will easily convince the critical examiner. The brevity of the notice of Jefferson Davis, and the judgment passed on him as leader of the Confederacy, show more than all how little the author is inclined to magnify or to criticise in accordance with newspaper talk. He seems, however, less free from a kind of patriotic Union bias in dealing with the generals of the civil war, as evinced in the notices of Banks, Butler, and others. Too great brevity in some of these notices also makes us regret a slight deviation, in the treatment of the events of that great struggle, from the "principles of perspective" so well established for the whole work. Thus, neither the notice of Butler nor that of Beauregard has any mention of the fact of those generals facing and fighting each other on the James; the latter article has hardly an allusion to that series of events; the notice of Breckenridge contains no mention of his appearing, with Early, before Washington, in July, 1864, only the defeat of their army by Sheridan being stated. In the notice of Burnside we also discover some slight inaccuracies in date—very slight ones, it is true: "Sept. 16," instead of Sept. 16-17, being given as the date of the battle of Antietam; "the 13th of December" as the day on which "he crossed the Rappahannock and attacked Lee's army" at Fredericksburg—which is correct only as regards the attack; and "May 9-11," with the omission of the 12th—the hottest day—as the date of the battle of Spottsylvania Court-House. But even errors so slight as these are exceedingly rare, which is saying a great deal, if we consider that the eight hundred pages before us—the whole will likely embrace about four times as many—contain myriads of dates. Omissions of facts and defective descriptions are much more frequent. Of this the notices of Alexander II. of Russia and of the Duchesse de Berry may serve as examples. Many heads, too, are wanting, such as, of the mythological, Dædalus; of the historical, Drellius; and of the literary, Büchner—names much more important than Bryczynski, Bube, or Du Buc, which we find on one page.

Of the peculiar features of this dictionary, its ample treatment of Norse and Hindoo mythology, its very rich bibliographical notes of reference appended to the more important articles, its systematic orthographical consistency—not to speak of its admirable correctness in spelling foreign words—and its elaborate pronunciation of the names, when first given, deserve particular mention. The utility, or, to speak more correctly, the necessity of the last-named feature is well illustrated by the author in his preface, in which he ridicules "the utter absurdity of attempting to pronounce foreign names according to the English sounds of the letters." "How, for example," he asks, "should we pronounce the name of the celebrated German poet HEINE, according to such a system? Should the *ei*

* "Universal Pronouncing Dictionary of Biography and Mythology. Containing Memoirs of the Eminent Persons of All Ages and Countries, and Accounts of the Various Subjects of the Norse, Hindoo, and Classic Mythologies, with the Pronunciation of their Names in the Different Languages in which they are Used. By J. Thomas, A.M., M.D., Author of the System of Pronunciation in Lippincott's Pronouncing Gazetteer of the World, and of the Pronouncing Vocabularies of Biographical and Geographical Names in Webster's Unabridged Dictionary." Philadelphia: J. B. Lippincott & Co. 1870. Parts I.—XII. Aa—Dufrénoy.

be sounded like *ee*, as in the English words *seize*, *ceiling*, etc.? or like *a*, as in *vein*, *weight*, *inveigh*? or like long *i*, as in *height*, *sleight*, etc.? Should HEINE, then, be pronounced *heen*, *hân*, or *hîn*? or should we sound the final *e*, and make it *hee'ne*, *hâ'ne*, or *kî'ne*? etc., etc. And it may be mentioned here that the author, after having devoted many years of study to the acquirement of a degree of Occidental linguistic knowledge sufficient for his task, in order more fully to prepare for it, spent nearly two years in the East, chiefly in Egypt and India, studying the rudiments, and particularly the pronunciation, of the Arabic, Persian, Sanscrit, and Hindostanee, and vastly extending, as many a page proves, his stock of general Oriental knowledge. Justice to the publisher also leads us to add that the mechanical execution of the work is in every respect worthy of its literary merits.

Alfred the Great. By Thomas Hughes, M.P., author of "Tom Brown's School Days." (New York: Macmillan & Co.)—Mr. Hughes's life of Alfred is a welcome addition to the excellent "Sunday Library" published by Messrs. Macmillan & Co. It is such a book as we should expect from Mr. Hughes—a book with a direct, practical purpose, not merely the biography of a great man. He does not profess to be an original explorer in the history of those times; he accepts the results of the researches of men like Pauli, Freeman, and Pearson, and aims to turn the lessons of history to the account of the highest and most pressing needs of his own generation. "How are nations to be saved from the tyranny or domination of arbitrary will, whether of a Caesar or of a mob? is the problem before us." In answer to this question, "he has learnt to look upon the Saxon King as the representative of the nation in contrast to the great Caesar, so nearly his contemporary, whose aim was to weld together all nations and tribes in one lifeless empire under his own sceptre." Therefore, "it must be worth while to follow as faithfully as we can the simple, honest life of the great Saxon King, endeavoring to ascertain upon what ground that life and work of the ninth century stood, and whether the same ground abides in the nineteenth for all nations, alike for those who have visible kings and those who are without them" (Preface). Consistently with this professed aim, we find everywhere an earnest religious spirit characteristic of the author.

The book is divided—not in form, but really—into two parts. The first part, consisting of eleven chapters, brings Alfred's life and reign down to the Treaty of Wedmore in 878, when his struggle for his kingdom was victoriously completed, and he was left for some years to reign in quiet. This early period is related consecutively. But the remaining fifteen chapters, which treat of the rest of Alfred's reign, are not arranged chronologically, but the facts and events are grouped under several heads—"The King's Board of Works," "The King's War-office and Admiralty," "Laws," "Justice," "Exchequer," "Church," "Friends," "Neighbors," "Foe," etc. Probably no better arrangement could have been devised than this; down to 878, the interest centres in wars and battles; after that, in those administrative reforms and peaceful enterprises which were distributed through several years.

We cannot much blame anybody who fails to discriminate between the numerous and insignificant Charleses, Louises, and Carlomans who sat on the various thrones of France and Germany during the last half of the ninth century. Still, if they are to be mentioned at all, they should be accurately discriminated; and we will point out that, on p. 241, it was not Charles the Bald that was killed by a wild boar while hunting, in 885 (rather 884), but his grandson, Carloman. The death of Carloman was naturally "the signal for renewed activity amongst the Northmen," for the reason that the heir to the throne was the infant Charles the Simple, who, by reason of the disturbed state of affairs, was set aside, first in favor of his cousin, Charles the Fat, then of Eudes, Count of Paris. Of course, therefore, it was not Charles the Simple (p. 248), but his grandfather, Charles the Bald, who resisted Rollo in 876; for Charles the Bald died in 877. Charles the Simple did not become king until 898.

One is naturally tempted to compare this book with Mr. Freeman's "Old English History," which we noticed a few weeks ago. But, although the two cover partly the same ground, their aim and scope are so different that they cannot be fairly compared. With Mr. Freeman, history is the end, with Mr. Hughes it is only a means; his narrative is not so graphic, his historical view is not so broad; but, after all, this only means that he has not done what he did not undertake to do—what he did undertake to do, he has done exceedingly well.

Our New Way Round the World. By Charles Carleton Coffin. (Boston: Fields, Osgood & Co. 1869.)—Mr. Coffin, better known as "Carleton," the quondam war-correspondent of the *Boston Journal*, left this city in July, 1866, and, after traversing Western Europe, passed by way of Egypt to India, China, and Japan; thence crossed the Pacific to San Francisco, and returned to Boston overland, by the new railroad. Our space forbids us to follow this world-traveller through all his experiences, and we can only say, in brief, that in the Levant his impressible nature was duly affected by the relics of antiquity, and that his imagination proved equal to the requirements of every historic site which he visited; though it must be stated that the events which he recalls under these circumstances are often more vividly than accurately set forth. At Bombay he falls in with the Parsees, but differs considerably from the received opinion in regard to their origin; and we cannot altogether accept his views of the history, philosophy, and religion of the Hindus. But he gives some pleasant descriptions of his travels across India, bearing testimony to the excellent moral as well as material effects of the railroad upon the people. A voyage from Calcutta, by the way of Singapore, lands him at last on the shores of China, to which empire he devotes twenty-three chapters of his book. His sketches of the government and religion of the Chinese are not so full or clear as we find in other works. His description of the habits and manners of the people, however, are often good. Mr. Coffin evidently means to be fair, and does not attempt to eulogize or satirize them, though the picture, on the whole, is not a very attractive one. He says decidedly "that the Chinese have not yet learned that honesty is the best policy;" but this defect is not peculiar to that people. He is very complimentary to the Protestant missionaries in China, speaking highly of their personal character, and of the good effects of their labors; says that they are much more intelligent and well-informed, as a rule, respecting the Chinese than those who are engaged in trade; and that, if it were not for the missionaries, the ministers and consuls would find it difficult to get on with their business. Respecting the Roman Catholic missionaries he speaks very unfavorably, evidently having derived his views from their Protestant rivals. His remarks upon the foreign commerce with China indicate rather confused notions in his own mind respecting it, and we cannot recommend that portion of his book as of much worth. He probably obtained his information upon the subject chiefly from his missionary friends, and he frankly admits that, "upon commercial matters, perhaps, their opinion would not be of so much value as those of the merchants." He did not visit the great capital of the empire, for the season of the year was unfavorable; so he passed over to Japan, and travelled for a considerable time among the islands, giving some lively sketches of what he saw there. Once more in his native land, he gives some account of California; but the special object of his interest there was the valley of the Yosemite and its lofty domes. Some of these grand natural features so powerfully affected him as to cause "his brain to reel—his breath to stop—his heart to cease to beat—for a moment;" and they inspired him to produce some of the most effective specimens of his favorite style of writing that the book affords. Travelling eastward, he stopped at Salt Lake City, and observed something of the Mormons; and, as a result, he has given us a catalogue of the names, ages, personal appearance, and character of the many wives of Brigham Young. Should these ladies, thanks to the suffrage lately bestowed upon them, arrive at political eminence, the editors of the daily press will be under obligations to Mr. Coffin for biographical material. Finally, our traveller reached his home in New England, after an absence of two years and five months, not without wise reflections, among which are two to which we heartily respond—namely: "America does not possess all the virtue in the world," and "We have yet much to learn." The book is illustrated with nearly a hundred engravings, and with several maps.

Widow Goldsmith's Daughter. By Julie P. Smith. (Hartford: Brown & Gross. 1870.)—Writing this novel seems to have been a labor of love to its author. To her, at least, her imaginary world and its people have been convincingly real, and she has painted them with a brisk confidence in her subject, and in her own ability to do it justice, which is far from unpleasant. It is not to be called a good novel, certainly, that she has produced. It is full, for instance, of laughable blunders—of misquotations, misuse of foreign expressions, of errors in syntax and orthography, even, with not more than half of which we should feel inclined to credit the proof-reader; and she holds up vulgar and commonplace people to ridicule in a way which, to say the least of it, is not suggestive of over-refinement on her own part. Her heroine, too, belongs to a type which seems

to be fatally prevalent in our native novels—such of them, at least, as are written by women—the young woman who is tormented by a thirst for knowledge, who studies German while she washes her dishes, has a French grammar surreptitiously hidden in her mending basket, and confounds her enemies and moves her lovers with fond pride by coming out at critical moments with pleasing facts in history or the last new thing in science. Still, much of Miss Smith's work is rather effectively done, and the way in which she displays her characters is often suggestive. Oddly enough, too, it is her faults that are her virtues; and with a more restrained vivacity and a keener sense of what ought to be omitted in making her studies from life, though she might produce more unexceptionable work, we doubt if she would be half so amusing as she is at present.

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